

DISTRICT OF COLUMBIA
+ + + +
ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + +

MEETING

p-----»
IN THE MATTER OF: :
: :
Case #10-251-00245 :
& 11-251-001-00146 :
Cafe Dupont, LLC :
t/a Cafe Citron : Show
1343 Connecticut Avenue NW : Cause
License #60138 : Hearing
Retailer CR :
ANC-2B :
Allowed the Establishment to :
be used for an Unlawful or :
Disorderly Purpose and Failed: :
to Comply With Security Plan :
p-----¼

January 25, 2012

The Alcoholic Beverage Control
Board met in the Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street, N.W., Washington, D.C., Ruthanne
Miller, Chairperson, presiding.

PRESENT

RUTHANNE MILLER, Chairperson
CALVIN NOPHLIN, Member
NICK ALBERTI, Member
DONALD BROOKS, Member

MIKE SILVERSTEIN, Member
JEANNETTE MOBLEY, Member
HERMAN JONES, Member

T-A-B-L-E O-F C-O-N-T-E-N-T-S

Opening Statement by the Government3

Opening Statement by the Applicant.6

Closing Argument by the Government. . . .193

Closing Argument by the Applicant198

WITNESSES: DIRECT CROSS REDIRECT RECROSS

Shannon Williams 15 45

Greg Stewart 132 140 142 150

Clelia

Berindoague 152 158 190 192

EXHIBITS: IDENTIFIED RECEIVED

GOVERNMENT:

Exhibit 2 Investigator's

Report 15 120

Exhibit 1 Police Report 17 17

LICENSEE:

Exhibit 1 153 155

P-R-O-C-E-E-D-I-N-G-S

4:33 p.m.

CHAIRPERSON MILLER: Next case is
10-251-00245 and No. 11-251-00146, Cafe
Dupont, LLC, trading as Cafe Citron, 1343
Connecticut Avenue, N.W., License #60138 in
ANC-2B.

MR. KLINE: Good afternoon.
Andrew Kline on behalf of the licensee.

MS. BERINDOAGUE: Good afternoon.
Clelia Berindoague.

MR. RIVERO: Good afternoon, Board
Members. Fernando Rivero for the District of
Columbia.

CHAIRPERSON MILLER: Good
afternoon. So this is a show cause hearing.
Are there any preliminary matters?

MR. RIVERO: Yes, Madam
Chairperson. The parties have an Offer-in-
Compromise to present to the Board at this
time. The offer presented will cover two
cases, Case #11-251-00146 relating to an

1 incident that occurred on April 27, 2011.

2 And Case #10-251-00245 relating to an incident
3 that occurred on October 9, 2010.

4 The offer consist of a fine of
5 \$5,000. \$1,000 relates to charge 1 which is
6 a violation of D.C. Official Code 25-823(2) of
7 the 2001 edition, and \$2,000 for charge 2, and
8 \$2,000 for charge 3 which relate to a
9 violation of D.C. Official Code 25-823(6).

10 This fine to be paid within 60 days, the
11 violations to be considered as secondary
12 violations for purposes of future penalties.

13 The Government considered a number
14 of factors in arriving at this offer. The
15 establishment's license was suspended, we
16 believe, for 32 days. In the summary
17 suspension proceeding relating to Case #11-
18 251-00146. We believe that period of
19 suspension to be sufficient to cover all the
20 charges in this case.

21 As the Board is aware, a penalty
22 in this case does not have to include a

1 suspension of the license. The Board has the
2 power to suspend or fine a licensee, or both,
3 or revoke a license for violations of Title 25
4 of the D.C. Code under D.C. Official Code 25-
5 823(1) of the 2001 edition.

6 The penalties in this case accord
7 with the level of fines that are set by law.
8 Under D.C. Official Code 25-830(f) of the 2001
9 edition violations that are not listed on the
10 schedule of fines, which is found at 23 DCMR
11 800, and none of these violations are so
12 listed, may be fined as primary tier
13 violations consistent with D.C. Official Code
14 25-830(c)(1) of the 2001 edition.

15 The fines in this range for the
16 offenses at issue are between a range of
17 \$1,000 and \$2,000 inclusive. We note that the
18 licensee's prior adjudicated violations are
19 for secondary offenses. For purposes of this
20 offer, as I indicated, the charges are treated
21 as secondary charges when calculating future
22 penalties.

1 We finally note that the licensee
2 has complied with conditions imposed by the
3 Board during the recent summary suspension
4 hearing and has altered its operations to the
5 effect that no further adjudicated violations
6 have taken place to date.

7 For these reasons, we believe that
8 the offer is appropriate, the charges at this
9 time. I am happy to entertain any questions.

10 CHAIRPERSON MILLER: Any other
11 questions right now from the Board?

12 Mr. Kline, do you want to address
13 the Offer-in-Compromise?

14 MR. KLINE: Yes. The licensee
15 accepts the Offer-in-Compromise and if it is
16 accepted by the Board, will arbitrate to a
17 hearing and waive any right to appeal. The
18 only thing I want to add, I think Mr. Rivero
19 has done an excellent job in terms of
20 outlining to the Board the basis of the offer.

21 These circumstances giving rise to
22 charge 3 occurred in October of 2010, quite a

1 long time ago, and long before the extremely
2 regrettable circumstances of April of 2011
3 which gave rise to the summary suspension of
4 which most of the Board Members are very well
5 aware.

6 We would certainly concur with Mr.
7 Rivero's assessment that the license has made
8 changes in the nature of its operation
9 consistent with what was expected by the Board
10 at the conclusion of the summary suspension
11 hearing.

12 We would join obviously with Mr.
13 Rivero in asking the Board to accept this
14 Offer-in-Compromise so that this licensee can
15 put this regrettable history behind it. Thank
16 you.

17 CHAIRPERSON MILLER: Thank you.
18 Any questions by the Board?

19 I think we would like to take a
20 moment to consider the offer. I'm going to
21 read the closed meeting instructions.

22 As Chairperson of the Alcoholic

1 Beverage Control Board for the District of
 2 Columbia and in accordance with Section 405 of
 3 the Open Meetings Amendment Act of 2010, I
 4 move that the ABC Board hold a closed meeting
 5 on Case #10-251-00245 and #11-251-00146 for
 6 the purpose of seeking legal advice from our
 7 counsel on the matters identified on the
 8 Board's agenda -- I'm sorry, with respect to
 9 this case. Also in consideration if
 10 deliberation on this case.

11 Do I have a second?

12 MEMBER NOPHLIN: Second.

13 CHAIRPERSON MILLER: I'll now call
 14 the roll.

15 Mr. Nophlin, how do you vote?

16 MEMBER NOPHLIN: I agree.

17 CHAIRPERSON MILLER: Mr. Brooks.

18 MEMBER BROOKS: I agree.

19 CHAIRPERSON MILLER: Mr. Alberti.

20 MEMBER ALBERTI: I agree.

21 CHAIRPERSON MILLER: Ms. Miller, I
 22 agree.

1 Mr. Silverstein.

2 MEMBER SILVERSTEIN: I agree.

3 CHAIRPERSON MILLER: Ms. Mobley.

4 MEMBER MOBLEY: I agree.

5 CHAIRPERSON MILLER: Mr. Jones.

6 MEMBER JONES: I agree.

7 CHAIRPERSON MILLER: Okay. The
8 vote is seven zero to go into closed meeting.
9 We will adjourn right now and be back soon.
10 Feel free to take a walk. Thank you.

11 (Whereupon, at 4:42 p.m. off the
12 record until 4:51 p.m.)

13 CHAIRPERSON MILLER: Okay. We are
14 back on the record. I want to say I
15 appreciate the arguments that were made today
16 on behalf of an Offer-in-Compromise but I
17 would move that we not accept the Offer-in-
18 Compromise.

19 Do I have a second?

20 MEMBER NOPHLIN: Second.

21 CHAIRPERSON MILLER: I'm going to
22 poll the Board unless there is anybody that

1 wants to speak to that motion.

2 Mr. Nophlin, how say you?

3 MEMBER NOPHLIN: I agree.

4 CHAIRPERSON MILLER: Mr. Brooks.

5 MEMBER BROOKS: I agree.

6 CHAIRPERSON MILLER: Mr. Alberti.

7 MEMBER ALBERTI: I agree.

8 CHAIRPERSON MILLER: Ms. Miller, I
9 agree.

10 Mr. Silverstein.

11 MEMBER SILVERSTEIN: I agree.

12 CHAIRPERSON MILLER: Ms. Mobley.

13 MEMBER MOBLEY: I agree.

14 CHAIRPERSON MILLER: Mr. Jones.

15 MEMBER JONES: I agree.

16 CHAIRPERSON MILLER: The vote is
17 seven to zero to zero to decline the Offer-in-
18 Compromise. At this point we will go forward
19 with the hearing.

20 Are there any other preliminary
21 matters?

22 Mr. Rivero.

1 MR. RIVERO: Thank you. Good
2 afternoon, Board Members. We are here today
3 in the matter of Cafe Dupont, LLC, trading as
4 Cafe Citron. The show cause notice issued in
5 this matter concerns the charges that the
6 licensee;

7 (1) Allowed the establishment to
8 be used for an unlawful or disorderly purpose
9 by poorly supervising employees who committed
10 an assault on an intoxicated patron on April
11 27, 2011, in violation of D.C. Office Code 25-
12 823(2).

13 (2) Violating its own security
14 plan on April 27, 2011, by not having a
15 security staff member at the door properly
16 attired and carried a radio, by not having the
17 doorman provide water to the intoxicated
18 patron who was assaulted that night, by not
19 having an adequate number of security staff
20 working that night, and by failing to contact
21 the police in connection with an incident that
22 preceded the assault that night in violation

1 of D.C. Office Code 25-823(6).

2 And, (3) Violated its own security
3 plan on October 9, 2010 by failing to contact
4 the police in connection with an assault on a
5 patron in violation of 25-823(6).

6 It is our belief that a
7 preponderance of the evidence based on the
8 testimony of our witnesses in our exhibit will
9 show that Cafe Citron violated these
10 provisions of the law.

11 The parties have stipulated as to
12 the testimony concerning charges 1 and 2.
13 That testimony will rest on the record of the
14 summary suspension hearing for the incident
15 that occurred on April 27, 2011, so no new
16 testimony will be presented as to charges 1
17 and 2 at this time.

18 Thus, the testimony that will be
19 heard today concerns the incident on October
20 9, 2010. The Government has as it witnesses
21 Officer Shannon Williams of the Metropolitan
22 Police Department, and Investigator Tyrone

1 Lawson of the Alcoholic Beverage Regulation
2 Administration.

3 That concludes my opening
4 statement.

5 CHAIRPERSON MILLER: Okay. You
6 want to call your first witness? I'm sorry,
7 Mr. Kline.

8 MR. KLINE: I would like to make
9 an opening statement. Madam Chairperson and
10 members of the Board, we would ask that you
11 obviously disregard the fact that an Offer-in-
12 Compromise was made in this case.

13 It is true that we do not dispute
14 the facts of April 2011 which gave rise to the
15 summary suspension proceeding. The Board will
16 make a determination as to what penalty is
17 appropriate for the two violations charged
18 there.

19 Of course, I would remind the
20 Board that there was a substantial suspension
21 that was served in connection with that
22 incident. We would hope that the Board would

1 find that punishment was appropriate enough in
2 terms of those violations. In reality, what is
3 at issue before you today and what you will be
4 hearing testimony on is an alleged violation
5 on October 9 of 2010, quite a long time ago.

6 Our position is two fold. One is
7 the evidence that you will hear today will not
8 clearly establish that there was a requirement
9 that the police be called and that there was
10 a violation of the security plan.

11 Nor will the evidence establish
12 that the police were not called. We would ask
13 you at the conclusion of the case to judge the
14 case based upon the evidence that you will
15 hear today and make a decision on that charge
16 and find for the licensee. Thank you.

17 CHAIRPERSON MILLER: Thank you.

18 MR. RIVERO: Board's indulgence,
19 please.

20 We will be submitting the
21 Investigator Lawson's report in the incident
22 concerning October 2010 as Government Exhibit

1 2 that has been stipulated to by the parties
2 in view of Investigator Lawson's testimony at
3 this time. So the Government's witness will
4 be Officer Williams.

5 (Whereupon, the document was
6 marked as Government Exhibit 2 for
7 identification the record.)

8 CHAIRPERSON MILLER: Okay. Ms.
9 Williams, will you raise your right hand? Do
10 you swear to tell the truth, the whole truth
11 and nothing but the truth so help you God?

12 OFFICER WILLIAMS: I do.

13 MR. RIVERO: Good afternoon.

14 OFFICER WILLIAMS: Good afternoon,
15 sir.

16 MR. RIVERO: Would you please
17 state your name for the record?

18 OFFICER WILLIAMS: Yes, sir. My
19 name is Shannon Williams. I am a Master
20 Patrol Officer for the Metropolitan Police
21 Department, 2nd District.

22 MR. RIVERO: Okay. Officer

1 Williams, how long have you been with the
2 Metropolitan Police Department?

3 OFFICER WILLIAMS: I have been
4 employed with the Metropolitan Police
5 Department for 10 years.

6 MR. RIVERO: Okay.

7 CHAIRPERSON MILLER: How long have
8 you been with the force?

9 OFFICER WILLIAMS: Ten years.

10 CHAIRPERSON MILLER: Ten years.
11 Thank you.

12 MR. RIVERO: Ms. Williams, I'm
13 going to show you what has been marked as
14 Government's Exhibit 1. The parties have
15 stipulated to the authenticity and
16 admissibility of the exhibit at this time so
17 the Government would move at this time that
18 the police report be admitted into evidence.

19 MR. KLINE: We don't have any
20 objection. I believe that it's actually an
21 exhibit to the Investigative Report.

22 MR. RIVERO: We move that at this

1 time.

2 CHAIRPERSON MILLER: You want to
3 move it in at this time?

4 MR. RIVERO: Yes, at this time.

5 CHAIRPERSON MILLER: Do you have a
6 copy to give to our attorney?

7 MR. RIVERO: We'll get copies for
8 the Board.

9 CHAIRPERSON MILLER: Okay. Fine.

10 MR. RIVERO: We move the admission
11 of the report at this time.

12 CHAIRPERSON MILLER: Okay. It's
13 admitted.

14 (Whereupon, the document was
15 marked as Government Exhibit 1 and
16 admitted into evidence.)

17 MR. RIVERO: All right. Thank
18 you, Officer Williams. If you will take a
19 look at this and tell us what this document
20 is, please.

21 OFFICER WILLIAMS: Yes, sir. This
22 document is an actual copy of the police

1 document 251 which is an incident event
2 report. It also includes offenses.

3 MR. RIVERO: Okay. It was an
4 incident where?

5 OFFICER WILLIAMS: This particular
6 incident occurred at 1343 Connecticut Avenue,
7 N.W., Washington, D.C.

8 MR. RIVERO: What establishment?

9 OFFICER WILLIAMS: That
10 establishment, I believe, the name is Cafe
11 Citron.

12 MR. RIVERO: And on what date did
13 that incident take place?

14 OFFICER WILLIAMS: This incident
15 occurred on October 9, 2010, at approximately
16 2:35 a.m.

17 MR. RIVERO: Were you involved
18 with this incident?

19 OFFICER WILLIAMS: Yes, sir. I
20 was.

21 MR. RIVERO: Okay. Please turn to
22 the second page. That information in the

1 narrative, who is responsible for that
2 information in the narrative?

3 OFFICER WILLIAMS: Officer
4 Florence Spain.

5 MR. RIVERO: Did she write that
6 information based on her investigation?

7 OFFICER WILLIAMS: Yes.

8 MR. RIVERO: Okay. Was she the
9 only one conducting the investigation?

10 OFFICER WILLIAMS: No. We both
11 were and I was actually training her at the
12 time.

13 MR. RIVERO: So you participated
14 in the investigation?

15 OFFICER WILLIAMS: Yes, I did.

16 MR. RIVERO: And this
17 investigation was on what date?

18 OFFICER WILLIAMS: October 9,
19 2010.

20 MR. RIVERO: Tell us about your
21 involvement in that investigation?

22 OFFICER WILLIAMS: Yes, sir. I

1 was on patrol with Officer Spain. I was her
2 training officer at the time. We received a
3 radio run to respond and assist the board in
4 the 1300 block of Connecticut Avenue. The
5 dispatcher advised that the board had a
6 belligerent patient.

7 MR. RIVERO: If I could just
8 interrupt you. When you say the board, what
9 do you mean?

10 OFFICER WILLIAMS: I'm sorry.
11 Excuse me. The ambulance for the District of
12 Columbia. We actually responded directly to
13 that location.

14 Upon arrival on the scene we
15 actually began to speak with some of the
16 ambulance members and they advised that the
17 gentleman apparently was walking and was
18 pushed, fell back and hit his head on a
19 pavement and he was completely knocked out for
20 several minutes is what the witnesses, who was
21 on the scene, described to the ambulance
22 personnel.

1 MR. RIVERO: Pushed by whom? Was
2 there a --

3 OFFICER WILLIAMS: The witness
4 stated that the individual who was inside the
5 ambulance being treated was pushed by what
6 appeared to be the bouncer or the doorman at
7 Cafe Citron and they described what the
8 individual looked like. They
9 said --

10 MR. RIVERO: Who is they?

11 OFFICER WILLIAMS: The ambulance
12 personnel told me what the witness stated to
13 them, that the gentleman was pushed by a
14 light-complected male who had a bald head and
15 a button-up shirt, like a dark-colored button-
16 up shirt.

17 MR. RIVERO: Okay.

18 OFFICER WILLIAMS: He was standing
19 at the door of Cafe Citron, apparently their
20 bouncer. They claim that the guy was just
21 walking past and the bouncer pushed him for no
22 apparent reason. The witness stated that he

1 believed the guy walked too close to him,
2 walked too close to the bouncer.

3 MR. RIVERO: And then what
4 happened?

5 OFFICER WILLIAMS: The bouncer
6 subsequently assaulted him by pushing him and
7 knocking him down to the pavement which caused
8 him to hit the back of his head and be knocked
9 unconscious for several minutes.

10 Several other pedestrians that
11 were walking alongside stopped to give that
12 gentleman some aid and they called 911 and
13 that's when the ambulance responded. My
14 question to the ambulance was how did they get
15 the assignment when we never got it. They
16 said they got it through their dispatcher. Of
17 course --

18 MR. RIVERO: What do you mean by
19 "we never got the assignment?"

20 OFFICER WILLIAMS: The MPD was
21 never called in reference to it.

22 MR. RIVERO: So how did you know

1 to show up there?

2 OFFICER WILLIAMS: The call came
3 because the ambulance requested assistance
4 with the guy because once the guy came to, he
5 didn't realize what was going on and he became
6 belligerent in the ambulance.

7 MR. RIVERO: The ambulance
8 requested assistance of whom?

9 OFFICER WILLIAMS: Of the victim.

10 MR. RIVERO: The ambulance
11 requested assistance to -- to whom did the
12 ambulance connect or communicate?

13 OFFICER WILLIAMS: I guess they
14 connected with their dispatcher who contacted
15 our dispatcher and sent the MPD. They
16 notified the MPD police to respond over and
17 assist the ambulance person.

18 MR. RIVERO: Is that how you were
19 notified?

20 OFFICER WILLIAMS: Yes, through my
21 police radio I was notified by the MPD
22 dispatcher.

1 MR. RIVERO: What came through the
2 radio to you?

3 OFFICER WILLIAMS: The dispatcher
4 advised us to respond to the location of the
5 1300 block of Connecticut Avenue to assist the
6 board ambulance with a belligerent patient.

7 MR. RIVERO: Okay. When you
8 showed up -- continue -- you spoke with the
9 ambulance personnel.

10 OFFICER WILLIAMS: Personnel who
11 actually advised that a witness reported to
12 them that they observed the bouncer at Cafe
13 Citron push this male for no reason causing
14 him to fall to the pavement and bang the back
15 of his head on the pavement and knocked
16 himself unconscious for several minutes.

17 MR. RIVERO: And then what did you
18 do?

19 OFFICER WILLIAMS: So I then
20 immediately advised Officer Spain it was an
21 investigation, a criminal matter at this
22 point, and we need to go and contact the

1 members of Cafe Citron to determine who this
2 individual was, who was the bouncer, and begin
3 a criminal investigation.

4 MR. RIVERO: Okay.

5 OFFICER WILLIAMS: Once I did
6 that, we decided to go inside of Cafe Citron
7 and speak with the bartender who was the first
8 person that we came in contact with that was
9 working.

10 MR. RIVERO: What did that person
11 look like?

12 OFFICER WILLIAMS: The bartender?

13 MR. RIVERO: Yes.

14 OFFICER WILLIAMS: The bartender
15 was a male, light-complected. I can't give
16 you his ethnicity. I want to say he's
17 Hispanic maybe. He was actually behind the
18 bar and he was working.

19 Upon arrival on the scene, I do
20 want you to know that I did observe an
21 individual who had a bald head working the
22 door at Cafe Citron and that is the reason why

1 I responded into Cafe Citron to see if I can
2 find that individual again.

3 MR. RIVERO: What happened to the
4 individual?

5 OFFICER WILLIAMS: I didn't see
6 him. That's when I went to the bartender.

7 MR. RIVERO: I want to clarify.
8 Did you or did you not see this bald
9 individual?

10 OFFICER WILLIAMS: When I got on
11 the scene I did see a bald individual, a bald
12 male with a black button-up shirt working the
13 door. It never dawned on me that he was the
14 one who the ambulance was stating the person
15 who actually -- probably perpetrated the
16 crime.

17 MR. RIVERO: What happened to the
18 individual?

19 OFFICER WILLIAMS: So I went
20 inside -- I don't know where he went to
21 because I was interviewing with the ambulance
22 personnel.

1 MR. RIVERO: Okay.

2 OFFICER WILLIAMS: So I went
3 inside Cafe Citron to get some information as
4 to who this individual was, do they have his
5 name, can you tell him to come back out and
6 speak with us because we are doing a criminal
7 investigation.

8 MR. RIVERO: And then what
9 happened?

10 OFFICER WILLIAMS: At that time
11 the bartender -- I asked the bartender for his
12 ID. The bartender did comply with that. I
13 asked the bartender who was working, who was
14 the manager there. He told me it was a
15 female.

16 I can't recall her name at the
17 time but it should be in the report. It was
18 a female that was working who did eventually
19 respond out and provide me with some
20 information. She said she was not the owner.
21 I believe she was related to the owner.

22 MR. RIVERO: What information did

1 she provide you?

2 OFFICER WILLIAMS: She did give me
3 her ID and, of course, I asked for the
4 licensing information for Cafe Citron.
5 Normally when we have some type of incident
6 that occurs in a bar establishment or within
7 a certain parameter of the bar, we normally
8 have to do a thorough investigation and obtain
9 all the information from that particular bar.
10 That's just normal procedure for the
11 Metropolitan Police Department.

12 I attempted to get all of that
13 information. As I was attempting to get more
14 information about this particular bouncer, the
15 bartender began to be uncooperative saying,
16 "We don't have to disclose that information to
17 you."

18 MR. RIVERO: What information?

19 OFFICER WILLIAMS: The bartender's
20 name, the bartender's information. He
21 actually spoke about another incident that
22 occurred within the bar prior to that

1 particular situation that they did not even
2 call the police for.

3 MR. RIVERO: What did he say to
4 you?

5 OFFICER WILLIAMS: He stated, "Are
6 you talking about the guy we threw out?"

7 MR. KLINE: Objection as to
8 relevance. We are dealing with this
9 situation, not another situation.

10 MR. RIVERO: It hasn't been
11 established that we are talking about two
12 different situations. It may, in fact, be the
13 same situation.

14 CHAIRPERSON MILLER: What the
15 bartender said to you?

16 OFFICER WILLIAMS: Yes.

17 CHAIRPERSON MILLER: Okay. Did it
18 go much further than that?

19 OFFICER WILLIAMS: He actually
20 described a whole particular incident that I
21 wasn't even referring to. He was saying they
22 had kicked somebody out.

1 CHAIRPERSON MILLER: In
2 considering it I just wanted to know how far
3 you're going to discuss what the bartender
4 said about other incidents.

5 OFFICER WILLIAMS: I was just
6 going to let you know that he was talking
7 about a whole different situation other than
8 what we were talking about with the bouncer.
9 Because he was inside, he was mainly just
10 describing something that he had witnessed
11 inside the bar.

12 CHAIRPERSON MILLER: Then I would
13 deny the motion because --

14 MR. RIVERO: Before the Board
15 makes a decision it is important to state that
16 Exhibit 2, the Government's Investigative
17 Report, has statements from the licensee's
18 employees that refer to this very incident
19 that is being described to the officer at this
20 time.

21 There are statements in the
22 Investigative Report that refer to an

1 individual who was put out earlier in the day.
2 Those are statements by the licensee's
3 employees that are in evidence at this time.
4 I think there is relevance here because there
5 may be an inference to be made that this is,
6 in fact, the same person.

7 MEMBER SILVERSTEIN: This is in
8 fact?

9 MR. RIVERO: The same person. The
10 person who was put out as being described in
11 this incident might be the same person who was
12 pushed and ended up on the ground.

13 CHAIRPERSON MILLER: Okay. I
14 don't think Mr. Kline was objecting to that.

15 MR. KLINE: I'm objecting because
16 the witness is testifying that she has been
17 told about some other incident which
18 apparently is unrelated to this incident that
19 is before the Board today.

20 MR. RIVERO: The witness at this
21 point is conducting an investigation so I
22 don't see how one can indicate at this stage

1 of an investigation that any particular
2 information is or is not relevant.

3 CHAIRPERSON MILLER: Okay. I deny
4 the motion based on the fact that it was part
5 of the investigation of this incident that was
6 said.

7 You can continue.

8 OFFICER WILLIAMS: Thank you. The
9 bartender began to describe a whole separate
10 incident, in my opinion, other than what we
11 were actually investigating. They had
12 apparently put somebody else out of the bar
13 earlier.

14 They never called the police in
15 reference to that so we had no recollection of
16 what he was talking about. He obviously
17 didn't know what we were talking about. I
18 moved forward to try to get some cooperation
19 with the female manager who was on the scene
20 to see what she knew about the circumstances
21 surrounding.

22 As I was trying to obtain the

1 information, the bartender was telling the
2 manager, "You don't have to talk to her. We
3 don't have to go any further. I gave her my
4 ID. Nobody has to cooperate with this."

5 At that particular time I
6 explained to the bartender the severity of the
7 case that we are dealing with. "Sir, this is
8 a criminal case. Do you not understand what's
9 going on?" "I'm not concerned with that..."
10 This, that, and the other.

11 "Okay. No problem." At which
12 time I decided, "You don't want to cooperate,
13 I will notify ABRA." I told the dispatcher to
14 notify ABRA to respond to the scene.

15 MR. RIVERO: How did you do that?
16 How did the tell the dispatcher?

17 OFFICER WILLIAMS: I have a police
18 radio. I have a police radio and I also have
19 a cell phone. ABRA immediately responded. I
20 believe they were within a few blocks and they
21 began to do their investigation of the scene
22 and what transpired.

1 MR. RIVERO: Who showed up you
2 recall?

3 OFFICER WILLIAMS: Investigator
4 Lawson showed up along with one other
5 gentleman and I can't recall his name at the
6 time. It was two investigators. They showed
7 up immediately and they conducted their
8 investigation.

9 We continued with the criminal
10 investigation. I began to try to obtain
11 information from the ambulance dispatcher as
12 to where was the gentleman who actually
13 witnessed the pushing. Okay? Also at this
14 time we also had to respond to GW Hospital
15 with the patient to find out what is going to
16 happen with him.

17 MR. RIVERO: What did the
18 individual at the ambulance respond to your
19 question? What did he say?

20 OFFICER WILLIAMS: I'm sorry?

21 MR. RIVERO: You asked the
22 individual -- you just testified you asked the

1 individual, the ambulance employee, where was
2 the witness.

3 OFFICER WILLIAMS: Right, where
4 was the witness.

5 MR. RIVERO: What response did you
6 get?

7 OFFICER WILLIAMS: They stated
8 that he had left the scene. Once they had
9 gotten the gentleman on the ambulance prior to
10 police arrival, he left the scene.

11 MR. RIVERO: I want to go ahead
12 and interrupt you. When you say "they stated"
13 who do you mean?

14 OFFICER WILLIAMS: The ambulance
15 personnel.

16 MR. RIVERO: And who specifically
17 was that, a male or female?

18 OFFICER WILLIAMS: It was a male
19 ambulance personnel who told me that the
20 gentleman who actually witnessed the crime had
21 left the scene once they had gotten the
22 patient onto the ambulance and so forth.

1 MR. RIVERO: And then what did you
2 do?

3 OFFICER WILLIAMS: I wanted to
4 obtain his information so I asked for my
5 dispatcher, MPD's dispatcher, to contact the
6 ambulance dispatcher, to get a phone number so
7 that I could speak to this individual to stop
8 him prior to him leaving so that we can
9 continue our criminal investigation.

10 MR. RIVERO: And what response did
11 you get from the dispatcher?

12 OFFICER WILLIAMS: The dispatcher
13 told me that she did have a phone number for
14 the caller.

15 MR. RIVERO: And a name also?

16 OFFICER WILLIAMS: She didn't give
17 me a name. She gave me -- I had to call her
18 to get his phone number. I then, indeed,
19 called her, got his information. I called the
20 gentleman. She did give me a name over the
21 phone.

22 MR. RIVERO: Who is she?

1 OFFICER WILLIAMS: The dispatcher.

2 MR. RIVERO: So you got a name and
3 a phone number?

4 OFFICER WILLIAMS: Yes.

5 MR. RIVERO: Okay.

6 OFFICER WILLIAMS: I called the
7 gentleman. I spoke with --

8 MR. RIVERO: When did you call the
9 gentleman?

10 OFFICER WILLIAMS: I called the
11 gentleman after we had finished taking the
12 patient to the hospital.

13 MR. RIVERO: Did you take the
14 patient to the hospital?

15 OFFICER WILLIAMS: No. The
16 ambulance took the patient and we followed
17 behind and we went to the hospital.

18 MR. RIVERO: What happened when
19 you got to the hospital?

20 OFFICER WILLIAMS: When we got to
21 the hospital we found out which doctor will be
22 treating him. I also took photographs of the

1 male in his state which he was in after being
2 pushed for the criminal investigation. I also
3 notified a 2D detective to respond because at
4 this point it was a felony assault at the
5 least. It wasn't just a simple assault,
6 misdemeanor, it was a felony.

7 MR. RIVERO: What did any medical
8 personnel at the hospital say to you?

9 OFFICER WILLIAMS: They did
10 describe who would be treating him and they
11 also told me that because he was knocked out
12 for several minutes he would have to undergo
13 a CAT scan of his head injury.

14 MR. RIVERO: Okay. And you said
15 you called a detective?

16 OFFICER WILLIAMS: Yes, I did.

17 MR. RIVERO: Okay. How did you do
18 that?

19 OFFICER WILLIAMS: I notified the
20 detective over the police radio.

21 MR. RIVERO: Who did you notify?

22 OFFICER WILLIAMS: I notified my

1 dispatcher. The dispatcher requested that a
2 2D detective respond. I believe it was
3 Detective Morales -- Morris.

4 MR. RIVERO: Were you at the
5 hospital when Detective Morris showed up or
6 not?

7 OFFICER WILLIAMS: I was. I was
8 at the hospital. I explained to him what
9 transpired. I explained to him about Cafe
10 Citron, all the facts I had established and
11 was able to get together as far as this
12 investigation was concerned. He then took
13 over that particular investigation. We did a
14 police report.

15 MR. RIVERO: And then what did you
16 do?

17 OFFICER WILLIAMS: After that I
18 continued to notify the witness who actually
19 described -- I was able to call him via phone.

20 MR. RIVERO: Who did you call?

21 OFFICER WILLIAMS: I called -- his
22 name slips my mind but I believe it was Jamal

1 or Jamel. I would have to look at the report
2 to hear his name but he was the actual witness
3 who called 911 and that is what he described.

4 He described that he witnessed the
5 man walking down the street and for no
6 apparent reason was pushed by Cafe Citron's
7 bouncer to the ground. He hit his head on the
8 ground and knocked himself out. They even
9 turned to the Cafe Citron bouncer to ask him,
10 "What is your problem?"

11 MR. RIVERO: Who is "they" in your
12 sentence?

13 OFFICER WILLIAMS: The witness
14 along with some other individuals who were
15 walking down the sidewalk said, "What's wrong
16 with you? What is your problem?" They tried
17 to help out this guy who was knocked
18 unconscious.

19 MR. RIVERO: Where were you when
20 you spoke with this witness?

21 OFFICER WILLIAMS: I was actually
22 at the 2nd District on the phone.

1 MR. RIVERO: And what were you
2 doing there besides speaking to him? What was
3 your purpose for being at the 2nd District?

4 OFFICER WILLIAMS: Normally when
5 we type out our reports and so forth we can
6 respond to the District to type out the
7 report. We have a system there that we type
8 our reports out on. Of course, I was training
9 Officer Spain and I was showing her where to
10 go to type her report.

11 She was typing the report and I
12 actually spoke with the witness. We were both
13 able to obtain all the information from the
14 witness and described what transpired.

15 MR. RIVERO: Indulgence, please.

16 Officer Williams, if I showed you
17 a police report, would you be able to remember
18 the witness' name with whom you spoke?

19 OFFICER WILLIAMS: Yes, sir.

20 MR. RIVERO: Let me know when
21 you're done.

22 OFFICER WILLIAMS: I'm done.

1 MR. RIVERO: Thank you. Do you
2 recall the name of the witness that you spoke
3 who indicated that he saw what happened?

4 OFFICER WILLIAMS: Yes, sir.

5 MR. RIVERO: Who is that person?

6 OFFICER WILLIAMS: Brandon James.

7 MR. RIVERO: Take a very close
8 look at that.

9 OFFICER WILLIAMS: Brandon James.

10 MR. RIVERO: Brandon James. Do
11 you know whether Brandon or James is the first
12 name?

13 OFFICER WILLIAMS: I don't recall.

14 MR. RIVERO: The person was a
15 male?

16 OFFICER WILLIAMS: Yes.
17 Definitely.

18 MR. RIVERO: All right. So you
19 testified you went to 2nd District to produce
20 the report.

21 OFFICER WILLIAMS: Yes.

22 MR. RIVERO: Did you write this

1 report?

2 OFFICER WILLIAMS: No, I didn't.

3 MR. RIVERO: With whom did you
4 work to write this report?

5 OFFICER WILLIAMS: Florence Spain
6 who is an officer.

7 MR. RIVERO: Okay. After you
8 wrote up the report what did you do?

9
10 OFFICER WILLIAMS: She wrote the
11 report.

12 MR. RIVERO: Okay. After the
13 report was written, what did you do?

14 OFFICER WILLIAMS: I didn't do
15 anything.

16 MR. RIVERO: Did you end your day?
17 Did you leave? Did you do anything further?

18 OFFICER WILLIAMS: No. I
19 continued to work.

20 MR. RIVERO: Okay. On this
21 investigation?

22 OFFICER WILLIAMS: No.

1 MR. RIVERO: Okay. Now, after
2 that date did you do any further work on this
3 investigation, on this incident?

4 OFFICER WILLIAMS: No. While I
5 was on the scene I do recall after the manager
6 on duty provided a phone number for the owner,
7 which she claimed was the owner, I did make a
8 phone call to the owner at that time. I
9 got --

10 MR. RIVERO: Where were you when
11 you made the call?

12 OFFICER WILLIAMS: I was on the
13 scene at Cafe Citron.

14 MR. RIVERO: Okay. How did you
15 call her?

16 OFFICER WILLIAMS: Through my cell
17 phone.

18 MR. RIVERO: Okay. How did you
19 get the phone number to call?

20 OFFICER WILLIAMS: The manager on
21 duty gave me the number.

22 MR. RIVERO: Okay. Did you call?

1 OFFICER WILLIAMS: I did.

2 MR. RIVERO: And what happened?

3 OFFICER WILLIAMS: I got an
4 answering machine.

5 MR. RIVERO: And what did you do?

6 OFFICER WILLIAMS: I just left a
7 message and let her know what was going on at
8 her particular establishment and I asked if
9 she would give me a call back which she never
10 did.

11 MR. RIVERO: Okay. No further
12 questions at this time of the witness, Board
13 Members.

14 CHAIRPERSON MILLER: Let's go to
15 cross.

16 MR. KLINE: Good afternoon,
17 Officer Williams.

18 OFFICER WILLIAMS: Good afternoon,
19 sir.

20 MR. KLINE: Officer Williams, you
21 spoke to Mr. Brandon James. Is that your
22 testimony?

1 OFFICER WILLIAMS: Yes.

2 MR. KLINE: All right. He was the
3 only person who recounted this story of a
4 bouncer allegedly pushing the victim and the
5 victim fell down and hit his head. Is that
6 right?

7 OFFICER WILLIAMS: I wouldn't say
8 that, sir.

9 MR. KLINE: Were there other
10 witnesses?

11 OFFICER WILLIAMS: I'm not sure.
12 I know that he was one because he called 911.

13 MR. KLINE: Okay. But he is the
14 only witness you are aware of. Correct?

15 OFFICER WILLIAMS: He is the only
16 witness I spoke with.

17 MR. KLINE: Okay. Are you aware
18 of other witnesses?

19 OFFICER WILLIAMS: Yes, there are
20 other witnesses. Did I speak with them? No.

21 MR. KLINE: Okay. Did you record
22 their names in your report?

1 OFFICER WILLIAMS: I didn't do a
2 report.

3 MR. KLINE: You were training the
4 other officer. Correct?

5 OFFICER WILLIAMS: Yes.

6 MR. KLINE: Did you instruct her
7 to put the names in the report?

8 OFFICER WILLIAMS: No.

9 MR. KLINE: Why not?

10 OFFICER WILLIAMS: Because she
11 didn't get any names, and neither did I get
12 any other names other than the person who
13 called 911.

14 MR. KLINE: There was another
15 witness. He stepped forward and offered to
16 tell you what happened. Wasn't there?

17 OFFICER WILLIAMS: I never
18 testified to that.

19 MR. KLINE: I didn't ask if you
20 did. I asked if that is what happened.

21 OFFICER WILLIAMS: You are going
22 to have to repeat your question because I

1 really don't --

2 MR. KLINE: My question is wasn't
3 there another witness who stepped forward at
4 the establishment who attempted to tell you
5 what was going on?

6 OFFICER WILLIAMS: No, sir. There
7 wasn't no witness who stepped forward at the
8 establishment.

9 MR. KLINE: Now, in terms of Mr.
10 James, what was his connection to the victim,
11 if any, if you know?

12 OFFICER WILLIAMS: I think that he
13 was just a witness to the crime. That's it.

14 MR. KLINE: The fact of the matter
15 is you don't really know. Do you?

16 OFFICER WILLIAMS: You asked me
17 what was the connection?

18 MR. KLINE: Yes. Was there any
19 connection between the witness and the victim?

20 OFFICER WILLIAMS: Are you talking
21 about relation?

22 MR. KLINE: Any connection

1 whatsoever.

2 OFFICER WILLIAMS: He was a
3 witness.

4 MR. KLINE: He was a witness.

5 OFFICER WILLIAMS: He witnessed
6 the crime. That was the connection.

7 MR. KLINE: Okay. But you don't
8 know whether he was perhaps there with the
9 victim?

10 OFFICER WILLIAMS: No, he was not
11 there with the victim.

12 MR. KLINE: And how do you know
13 that?

14 OFFICER WILLIAMS: He stated that
15 he was walking down the street and he
16 witnessed a crime. He witnessed what
17 happened. That's what he is. That's his
18 connection, a witness.

19 MR. KLINE: Okay. You only spoke
20 to him on the phone. Correct?

21 OFFICER WILLIAMS: Yes.

22 MR. KLINE: So you don't have any

1 way of knowing whether he had any reason to
2 give this particular testimony other than your
3 belief that it was the truth. Correct?

4 OFFICER WILLIAMS: Correct.

5 MR. KLINE: You don't have any
6 reason to believe or reason to know whether or
7 not he was biased against the establishment in
8 some way?

9 OFFICER WILLIAMS: No. I have no
10 reason to believe that.

11 MR. KLINE: And you don't have any
12 reason to believe -- you don't know whether he
13 had, indeed, some connection with the victim.
14 Do you?

15 OFFICER WILLIAMS: Not other than
16 a witness.

17 MR. KLINE: And there wasn't
18 anyone to corroborate his testimony. Was
19 there?

20 OFFICER WILLIAMS: The ambulance
21 personnel.

22 MR. KLINE: But the only thing the

1 ambulance person told you is what he had been
2 told by the witness. Correct?

3 OFFICER WILLIAMS: Yes.

4 MR. KLINE: He didn't witness what
5 Mr. James said that he observed. Did he? The
6 ambulance person.

7 OFFICER WILLIAMS: No, because he
8 called the ambulance to come to the scene.

9 MR. KLINE: Right. So that would
10 have occurred long before the ambulance person
11 arrived there.

12 OFFICER WILLIAMS: I wouldn't say
13 long before.

14 MR. KLINE: Well, certainly before
15 the ambulance -- the EMS personnel arrived
16 there. Correct?

17 OFFICER WILLIAMS: I would say
18 before.

19 MR. KLINE: All right. What we
20 have is the one witness, Mr. James, who told
21 you what he believed happened. Correct?

22 OFFICER WILLIAMS: Mr. James, yes.

1 MR. KLINE: We don't have any way
2 of -- we have no way of corroborating what he
3 told you based on your testimony. Correct?

4 OFFICER WILLIAMS: Only what the
5 ambulance personnel told me he told them.

6 MR. KLINE: Right. But that would
7 have been ultimately coming from Mr. James.
8 Correct?

9 OFFICER WILLIAMS: Yes.

10 MR. KLINE: And he never gave you
11 any signed or sworn statements concerning this
12 matter. Did he?

13 OFFICER WILLIAMS: No. He was
14 over the phone.

15 MR. KLINE: All right. He is
16 presumably available and could have come in
17 and testified today, Mr. James?

18 OFFICER WILLIAMS: I'm not sure.

19 MR. KLINE: Did you attempt to
20 reach him to testify before the Board today?

21 OFFICER WILLIAMS: That's not in
22 my scope of duties.

1 MR. KLINE: I didn't ask whether
2 it was. I just asked whether you did.

3 OFFICER WILLIAMS: I didn't.

4 MR. KLINE: Now, didn't the
5 injured individual refuse service? Isn't that
6 why EMS called you?

7 OFFICER WILLIAMS: EMS called
8 because the particular patient was unaware of
9 what transpired. Of course, when he came to
10 he didn't know what was going on and that's
11 the reason why he was behaving the way he was
12 because he just didn't know what happened.

13 MR. KLINE: You weren't in his
14 head to know what he was thinking at that
15 time. Were you?

16 OFFICER WILLIAMS: No, sir.

17 MR. KLINE: So you don't really
18 know. He was belligerent. Correct?

19 OFFICER WILLIAMS: That's what was
20 described by the ambulance person.

21 MR. KLINE: All right. And that
22 is why MPD was called. Wasn't it?

1 OFFICER WILLIAMS: Yes, to assist
2 the ambulance.

3 MR. KLINE: Because he was being
4 belligerent and wouldn't get into the
5 ambulance for treatment. Correct?

6 OFFICER WILLIAMS: That's not
7 true. He was in the ambulance when I was on
8 the scene.

9 MR. KLINE: But when you received
10 the call isn't that what dispatch told you,
11 that there was a belligerent victim?

12 OFFICER WILLIAMS: That doesn't
13 mean he didn't get in the ambulance.

14 MR. KLINE: Okay.

15 OFFICER WILLIAMS: He was in the
16 ambulance.

17 MR. KLINE: But he was giving EMS
18 personnel a hard time?

19 OFFICER WILLIAMS: Yes.

20 MR. KLINE: Okay. I want to show
21 you what's been admitted and marked as
22 Government's Exhibit 2 and direct your

1 attention to Exhibit 6 to the Government's
2 Exhibit 2. That is the Investigative Report.
3 Do you see Exhibit 6?

4 OFFICER WILLIAMS: Yes, I see it.

5 MR. KLINE: Do you see that
6 handwritten statement?

7 OFFICER WILLIAMS: Yes.

8 MR. KLINE: All right. Mr.
9 Rodrigo Reyes is the name on the statement.
10 Correct?

11 OFFICER WILLIAMS: Yes. Rodrigo
12 Reyes.

13 MR. KLINE: Rodrigo Reyes. Take a
14 minute to read the statement if you would.

15 CHAIRPERSON MILLER: Mr. Kline,
16 what is the title of this document?

17 MR. KLINE: It is labeled Exhibit
18 6 in the upper right-hand corner to the
19 Investigative Report which is the Government's
20 Exhibit 2.

21 CHAIRPERSON MILLER: Okay. Thank
22 you.

1 MR. KLINE: Have you read that
2 statement?

3 OFFICER WILLIAMS: I'm not
4 finished yet.

5 MR. KLINE: Are you finished
6 reading it?

7 OFFICER WILLIAMS: Yes.

8 MR. KLINE: Other than the
9 purported statements from Mr. Brandon James,
10 do you have any statements, testimony, or
11 evidence that would controvert any of these
12 statements that are in Exhibit 6 to the
13 Investigative Report?

14 OFFICER WILLIAMS: No. As a
15 matter of fact, I don't know who Mr. Rodrigo
16 Reyes is.

17 MR. KLINE: Okay. So --

18 OFFICER WILLIAMS: Neither will I
19 be able to testify as to whether he was even
20 on the scene.

21 MR. KLINE: Okay. But you can't
22 testify that he wasn't on the scene. Correct?

1 OFFICER WILLIAMS: No one
2 approached me by that name.

3 MR. KLINE: Okay. You don't know
4 whether someone approached Officer Spain, do
5 you?

6 OFFICER WILLIAMS: No. I wouldn't
7 be able to testify to whether she was
8 approached.

9 MR. KLINE: So the fact of the
10 matter is -- I'll repeat the question -- you
11 don't have anything to dispute anything in
12 this statement in Exhibit 6, do you, other
13 than the statements that you testified that
14 you received from Mr. James?

15 OFFICER WILLIAMS: Do I have
16 anything to dispute what he wrote?

17 MR. KLINE: Correct.

18 OFFICER WILLIAMS: No. I don't
19 know who this is and who you provided this
20 information to. If he was on the scene, why
21 didn't he approach us and provide his
22 statement?

1 MR. KLINE: All right. You've
2 read his statement that he indicated that he
3 did approach an officer in an attempt to give
4 a statement. Haven't you read that?

5 OFFICER WILLIAMS: He didn't give
6 the officer's name and badge.

7 MR. KLINE: I understand that.
8 During the course of this investigation there
9 was quite a bit of friction between you and
10 Ms. Courbois, wasn't there?

11 OFFICER WILLIAMS: Me and Ms. who?

12 MR. KLINE: Ms. Courbois.

13 OFFICER WILLIAMS: Who is that?

14 MR. KLINE: The manager that you
15 spoke with.

16 OFFICER WILLIAMS: No, I didn't
17 have any friction with her.

18 MR. KLINE: There was no friction
19 whatsoever?

20 OFFICER WILLIAMS: I didn't have
21 friction with her, no.

22 MR. KLINE: She was completely

1 cooperative and everything was fine?

2 OFFICER WILLIAMS: I didn't have a
3 problem with her.

4 MR. KLINE: That was my question.
5 The question was --

6 OFFICER WILLIAMS: You asked was
7 there any friction between her and I. No.

8 MR. KLINE: There was no friction
9 whatsoever?

10 OFFICER WILLIAMS: No.

11 MR. KLINE: So she was completely
12 cooperative?

13 OFFICER WILLIAMS: She didn't say
14 much because she didn't know anything.

15 MR. KLINE: Didn't she tell you
16 that she came out and gave a bottle of water
17 to the victim when he was on the sidewalk?

18 OFFICER WILLIAMS: Negative, sir.

19 MR. KLINE: She never told you
20 that?

21 OFFICER WILLIAMS: No.

22 MR. KLINE: You questioned her

1 quite a bit. Didn't you?

2 OFFICER WILLIAMS: Not really. I
3 didn't question her quite a bit. I asked her
4 what was her involvement, what did she
5 witness. She didn't witness anything.

6 Neither did she actually -- I'll
7 put it like this. She didn't know what was
8 going on and, in my opinion, her being the
9 manager is pretty far-fetched whether she is
10 one or not based on what she described. She
11 didn't have any information.

12 MR. KLINE: All right.

13 OFFICER WILLIAMS: It seemed to me
14 the bartender was the one who attempted to
15 take over the investigation --

16 MR. KLINE: Could you describe the
17 bartender, please?

18 OFFICER WILLIAMS: The bartender
19 was the Hispanic male.

20 MR. KLINE: There was a young
21 woman there. Correct?

22 OFFICER WILLIAMS: Yes.

1 MR. KLINE: And she identified
2 herself to you as the manager?

3 OFFICER WILLIAMS: The bartender
4 told me that she was the manager and when she
5 came out there I asked her was she the manager
6 and she said yes.

7 MR. KLINE: All right. And you
8 told her that you could shut the bar down.
9 Didn't you?

10 OFFICER WILLIAMS: Negative. I
11 don't have that authority, sir.

12 MR. KLINE: I didn't ask if you
13 had the authority. My question was --

14 OFFICER WILLIAMS: I just now
15 answered your question. I said negative and
16 I do not have that authority to shut a bar
17 down.

18 MR. KLINE: All right. So early
19 in your testimony when you talked about
20 witnesses, indeed there was only purported
21 witness. Correct?

22 OFFICER WILLIAMS: Negative. I

1 described to you that there was a witness who
2 called 911. And I also described to you there
3 were other pedestrians walking down the
4 sidewalk who actually witnessed it and
5 actually stopped to help that gentleman.

6 MR. KLINE: All right. Do you
7 have the names of those people?

8 OFFICER WILLIAMS: No, I do not.

9 MR. KLINE: So how do you know
10 there were these other witnesses?

11 OFFICER WILLIAMS: That's what was
12 described to me by the witness that's in the
13 report. Also by the ambulance personnel.

14 MR. KLINE: Who prepared the
15 report? That was Officer Spain or that was
16 you?

17 OFFICER WILLIAMS: Officer Spain,
18 sir.

19 MR. KLINE: So, to your knowledge,
20 based on your investigation and based on the
21 facts that you know, you were only able to
22 identify the one witness, Mr. James. Correct?

1 OFFICER WILLIAMS: That's whose
2 information I have, yes.

3 MR. KLINE: All right. Now, are
4 you familiar with something called the Unruly
5 Patrons Ordinance?

6 OFFICER WILLIAMS: No, I'm not.

7 MR. KLINE: So if someone called
8 you to invoke the provisions of the Unruly
9 Patrons Ordinance, you wouldn't really have
10 any idea what they were talking about, would
11 you?

12 OFFICER WILLIAMS: I'm not
13 familiar with that. No one has ever done that
14 to me.

15 MR. KLINE: Okay. Now, you don't
16 have any reason to believe that the purported
17 victim was violent. Do you?

18 OFFICER WILLIAMS: Do I have
19 reason to believe that he was violent? No.

20 MR. KLINE: And you don't have any
21 reason to believe that he was abusive in the
22 establishment. Do you?

1 OFFICER WILLIAMS: No. As a
2 matter of fact, the witness said he wasn't
3 even in the establishment.

4 MR. KLINE: Okay. And you don't
5 have any reason to believe that he was
6 indecent in any way in the establishment.
7 Correct?

8 OFFICER WILLIAMS: No.

9 MR. KLINE: And you don't have any
10 reason to believe that he was profane,
11 boisterous, or otherwise disorderly in the
12 establishment. Do you?

13 OFFICER WILLIAMS: No.

14 MR. KLINE: You reviewed Exhibit 6
15 to the report. Do you still have that in
16 front of you?

17 OFFICER WILLIAMS: No, I do not.
18 Thank you, sir.

19 MR. KLINE: In reading Exhibit 6
20 if you believe those facts to be true, would
21 you believe that any crime had been committed?

22 OFFICER WILLIAMS: I don't view

1 this as fact, sir.

2 MR. KLINE: I beg your pardon?

3 OFFICER WILLIAMS: I don't view
4 this as facts. I've never even seen this
5 besides today. I'm not understanding what
6 you're saying.

7 MR. KLINE: My question to you is
8 if you reviewed that document and you read
9 what you see in that document describing a
10 particular circumstance, in reviewing those
11 facts as presented in that document, whether
12 you've ever seen it before or not, whether
13 they are true or not, whether it relates to
14 this incident or not, would you conclude in
15 reading that that any crime had been
16 committed?

17 MR. RIVERO: I think I'm going to
18 have to object at this point.

19 CHAIRPERSON MILLER: The basis of
20 your objection?

21 MR. RIVERO: The basis of the
22 objection is that what the officer believes

1 hypothetically would have happened with
2 respect to the facts, purported to be facts,
3 is not relevant.

4 CHAIRPERSON MILLER: My problem is
5 we never got this Exhibit 6 in front of us so
6 I can't see exactly what it is. I couldn't
7 find it in my documents. I'm sorry.

8 MR. RIVERO: Apparently what
9 happened --

10 CHAIRPERSON MILLER: Is it a
11 police report?

12 MR. RIVERO: Apparently what
13 happened is that the report was provided but
14 the attachments to the report were not so they
15 are being copied as we speak.

16 CHAIRPERSON MILLER: Correct.
17 That is why I don't have it.

18 MR. RIVERO: One of the
19 attachments to the report that you have in
20 front of you is a statement written by this
21 Rodrigo Reyes about which there was some
22 testimony right now. If I may approach.

1 CHAIRPERSON MILLER: Thank you.

2 MR. RIVERO: That is an attachment
3 to a report that you have in front of you.
4 Unfortunately, I learned that the attachments
5 were not included. They are now in the
6 process of being photocopied and provided to
7 you all.

8 That is Exhibit 6 of Investigator
9 Lawson's report which is admitted into
10 evidence as Government's Exhibit 2. Opposing
11 counsel is questioning the witness as to that
12 particular exhibit to the report.

13 CHAIRPERSON MILLER: My question
14 is what is the basis of your objection if he's
15 asking about this attachment to the report?

16 MR. RIVERO: Opposing counsel is
17 asking the witness to opine on whether a crime
18 had been committed and these statements were
19 true. Whether the witness thinks these
20 statements are true or false has zero bearing
21 on this case. Relevancy is zero.

22 CHAIRPERSON MILLER: I don't

1 understand that to be the question as to
2 whether he thinks the statement is true or
3 false. I haven't read the facts here yet.
4 He's basically saying based on these facts.

5 MR. RIVERO: He's asking her (a)
6 to suppose the facts are true, and (b) to
7 opine as to whether a crime has been
8 committed.

9 MR. KLINE: No, I'm not asking her
10 as to whether a crime has been committed.

11 CHAIRPERSON MILLER: Would you
12 repeat your question?

13 MR. KLINE: My question is if you
14 reviewed those facts as set forth in Exhibit
15 6 to the Investigative Report, Government's
16 Exhibit 2, would you conclude based on the
17 facts that are therein, that the facts as you
18 understand them about this case, not any other
19 facts, just reading those facts would you
20 believe that a crime had been committed?

21 MR. RIVERO: Again, I object on
22 the basis of the fact that she is being called

1 upon to conclude -- to give her opinion as to
2 these facts.

3 CHAIRPERSON MILLER: Maybe you can
4 rephrase the question.

5 MR. KLINE: I'll attempt to
6 establish a foundation for it and then we'll
7 come back to it.

8 CHAIRPERSON MILLER: Okay.

9 MR. KLINE: Officer, you are a
10 police officer, correct?

11 OFFICER WILLIAMS: No, I'm a
12 Master Patrol Officer.

13 MR. KLINE: All right, Master
14 Patrol Officer.

15 OFFICER WILLIAMS: Yes, sir.

16 MR. KLINE: Member of the
17 Metropolitan Police Department.

18 OFFICER WILLIAMS: Yes, sir.

19 MR. KLINE: Correct?

20 OFFICER WILLIAMS: Yes.

21 MR. KLINE: You are called to
22 different scenes for different circumstances

1 every day in the course of your job. Correct?

2 OFFICER WILLIAMS: Yes.

3 MR. KLINE: When you get there you
4 are given a set of facts in terms of something
5 that occurred. Correct?

6 OFFICER WILLIAMS: That allegedly
7 occurred, yes.

8 MR. KLINE: That allegedly
9 occurred. When that happens, you have to make
10 a determination based upon what you've been
11 told whether you think a crime has been
12 committed and that you should investigate
13 further, or a crime may have been committed
14 and you should investigate further, or based
15 on the facts that you're told, that no crime
16 has been committed. Correct? Isn't that
17 something you do every day in the course of
18 your job?

19 OFFICER WILLIAMS: Yes.

20 MR. KLINE: Okay. So my question
21 for you is since that's part of your job,
22 reading Exhibit 6, if you are presented with

1 those facts, would you conclude based on those
2 facts that some crime had been committed?

3 OFFICER WILLIAMS: If I read this
4 particular witness statement alone --

5 MR. KLINE: Okay.

6 OFFICER WILLIAMS: -- without any
7 other factors, then I would make a
8 determination as to whether a crime had been
9 committed or not.

10 MR. KLINE: Okay. And you would
11 conclude based upon -- just based on those
12 facts without any of the other facts that are
13 contained in this report or any of the other
14 witness statements or your conversation with
15 Mr. James, you conclude under just that that
16 no crime had been committed. Correct?

17 OFFICER WILLIAMS: No.

18 MR. KLINE: You wouldn't?

19 OFFICER WILLIAMS: I would make a
20 determination of whether a crime has been
21 committed. As to whether I think this is a
22 crime or not, I'm not testifying to that.

1 MR. KLINE: Well, that's my
2 question to you, what would be your
3 determination based on Exhibit 6.

4 OFFICER WILLIAMS: I can't testify
5 to that.

6 MR. KLINE: You can't tell us
7 that. Okay.

8 I beg the Board's indulgence.

9 Now, prior to your being called by
10 EMS on the scene, someone had contacted EMS.
11 Correct?

12 OFFICER WILLIAMS: Yes.

13 MR. KLINE: All right. And those
14 were persons connected with the establishment.
15 Correct?

16 OFFICER WILLIAMS: No.

17 MR. KLINE: No?

18 OFFICER WILLIAMS: No.

19 MR. KLINE: Okay. To your
20 knowledge who called EMS?

21 OFFICER WILLIAMS: EMS dispatcher
22 advised my dispatcher that the witness as

1 listed on the report called -- was the caller.

2 MR. KLINE: Okay.

3 OFFICER WILLIAMS: That's why I
4 called him and contacted him as to what he
5 observed.

6 MR. KLINE: Okay. But you don't
7 know whether anyone else called or not. Do
8 you?

9 OFFICER WILLIAMS: No.

10 MR. KLINE: So if someone else
11 called, you wouldn't necessarily have that
12 information, would you?

13 OFFICER WILLIAMS: No, but you can
14 retrieve it.

15 MR. KLINE: Okay. The only thing
16 you know is that this individual called.
17 Others may have called but you don't have that
18 information. Correct?

19 OFFICER WILLIAMS: No. I asked
20 who called and that's the information they
21 provided me.

22 CHAIRPERSON MILLER: Can you

1 repeat that? I didn't hear you.

2 OFFICER WILLIAMS: I asked the
3 dispatcher who called and that is the
4 information she provided.

5 CHAIRPERSON MILLER: Thank you.

6 MR. KLINE: So what was described
7 to you was a gentleman with a bald head.
8 Correct?

9 OFFICER WILLIAMS: She stated it
10 was the bouncer at Cafe Citron.

11 MR. KLINE: Okay. Did you
12 interview the bouncer at Cafe Citron?

13 OFFICER WILLIAMS: No, because he
14 vacated the premises.

15 MR. KLINE: Did you come back and
16 investigate and interview the bouncer at Cafe
17 Citron?

18 OFFICER WILLIAMS: What do you
19 mean by come back?

20 MR. KLINE: Come back on another
21 occasion and see when he may be working.

22 OFFICER WILLIAMS: No. That's for

1 the detectives to do.

2 MR. KLINE: Did the detectives
3 follow up on that?

4 OFFICER WILLIAMS: I wouldn't be
5 able to testify to that.

6 MR. KLINE: You wouldn't be able
7 to why?

8 OFFICER WILLIAMS: Because I don't
9 know whether they did or not. I'm sure they
10 did but I can't testify as to what somebody
11 else did. I can only testify to what I did.

12 MR. KLINE: All right. So if they
13 did and they determined that a bouncer, or
14 another individual connected with Cafe Citron,
15 was involved in assaulting the victim, then
16 presumably further charges would have
17 proceeded criminally. Correct?

18 MR. RIVERO: I'm sorry. I have to
19 object again. All of this hypothetical is
20 just not relevant.

21 CHAIRPERSON MILLER: It's not
22 relevant?

1 MR. RIVERO: No.

2 CHAIRPERSON MILLER: How is it
3 relevant, Mr. Kline?

4 MR. KLINE: It's relevant because
5 we are here today and we have a witness who
6 talked -- said she spoke to one individual
7 that this person was beaten unconscious or
8 pushed unconscious.

9 Presumably if that state of facts
10 of correct, the detective bureau would have
11 investigated and determined whether that was
12 indeed the case. If it were true, there would
13 be further charges. It certainly cast doubt
14 upon the credibility, not of this witness but
15 of this set of facts that was related to this
16 witness by the other witness.

17 CHAIRPERSON MILLER: Okay. So
18 it's relevant.

19 MR. RIVERO: MPD's methods of
20 conducting investigations are not on trial
21 today.

22 CHAIRPERSON MILLER: It's not on

1 trial. He's just asking would there be
2 evidence in support of the case if that had
3 occurred. I don't think it's on trial.

4 I think you can answer the
5 question.

6 OFFICER WILLIAMS: What was your
7 question again?

8 MR. KLINE: My question was if --
9 you were no longer involved in the
10 investigation at that point. Correct?

11 OFFICER WILLIAMS: Correct.

12 MR. KLINE: It had been turned
13 over to the detectives.

14 OFFICER WILLIAMS: Yes.

15 MR. KLINE: If the detectives had
16 a basis, reasonable cause, to determine that
17 the bouncer employed by Cafe Citron had
18 assaulted this man, then presumably they would
19 have proceeded further and pressed charges.
20 Correct?

21 OFFICER WILLIAMS: If they were
22 able to obtain the information from that

1 particular bouncer which is what they refused
2 to give me when I was on the scene.

3 MR. KLINE: Okay. But there was
4 follow-up by detectives and you don't know
5 whether information was provided, wasn't
6 provided, or what information was provided.
7 Do you?

8 OFFICER WILLIAMS: I can't testify
9 as to his investigation.

10 MR. KLINE: Okay. So you don't
11 know anything about that?

12 OFFICER WILLIAMS: No.

13 MR. KLINE: All right. But
14 presumably had there been something discovered
15 that supported this lone witness' statement
16 that this man had been assaulted, then the
17 matter would have proceeded further
18 criminally. Right?

19 OFFICER WILLIAMS: I presume.

20 MR. KLINE: Okay. I don't have
21 any further questions of the witness at this
22 time. Thank you.

1 CHAIRPERSON MILLER: Mr.
2 Silverstein.

3 MEMBER SILVERSTEIN: Thank you.

4 Officer Williams, you made some
5 comments about how the bartender said they
6 didn't have to cooperate?

7 OFFICER WILLIAMS: Yes.

8 MEMBER SILVERSTEIN: Would you
9 help me out and tell me exactly what was said
10 by whom and how this all happened.

11 OFFICER WILLIAMS: I cannot repeat
12 it verbatim but he did make statements to the
13 employees there, "You don't have to talk to
14 her. She has my information. She took down
15 my information off my license. You don't have
16 to cooperate. You all can go ahead and
17 leave."

18 That's what he said, "You all can
19 go ahead and leave," which he doesn't have the
20 authority to do that when it comes down to a
21 criminal investigation. We can actually
22 interview witnesses and we can actually

1 interview those who were on the scene.

2 Therefore, I needed help with that
3 so I called the ABRA investigator who was able
4 to come in and obtain more information than
5 what I was able to get out of them.

6 MEMBER SILVERSTEIN: Did you feel
7 that interfered with your investigation?

8 OFFICER WILLIAMS: I did. I did.
9 I actually went to speak with one of the
10 attorneys downtown in reference to that to see
11 what can I do further because of what he had
12 done. Of course, I could have charged him
13 with possibly APL interfering and impeding me
14 doing my job.

15 I was wondering if there was a
16 warrant that I could obtain and I wanted to
17 get clear on what he did that was a violation
18 other than just interfering and telling
19 individuals, "You don't have to talk to her.
20 She already has my information. Don't worry
21 about her."

22 Business was going on. You have

1 to think about the scene. It was a bar full
2 of individuals who were drinking. There was
3 music pumping really loud and I was trying to
4 do a criminal investigation with employees who
5 were uncooperative. Okay?

6 I'm sitting there and I'm like,
7 "Sir, is there anyway you can come outside?"
8 They were giving me the runaround. They were
9 taking their time coming outside to speak with
10 me so that I could hear them clearly which was
11 giving the other employees an opportunity to
12 vacate the premises.

13 That's why I resorted into calling
14 ABRA down there to let them know that we have
15 a felony investigation going on and we need
16 some cooperation.

17 MEMBER SILVERSTEIN: Do you
18 believe that this impeding of your
19 investigation may have led to this paucity of
20 witnesses?

21 OFFICER WILLIAMS: I believe so.
22 I also believe that it allowed the individual

1 who was involved as the perpetrator of the
2 crime to be able to leave without me obtaining
3 that particular information. Yeah, I do.

4 MEMBER SILVERSTEIN: Thank you.
5 Thank you for your service.

6 OFFICER WILLIAMS: Sure. Thank
7 you.

8 CHAIRPERSON MILLER: Ms. Williams.

9 OFFICER WILLIAMS: Yes, ma'am.

10 CHAIRPERSON MILLER: I want to
11 just get back to this Exhibit 6.

12 OFFICER WILLIAMS: Yes, ma'am.

13 CHAIRPERSON MILLER: Have you read
14 this?

15 OFFICER WILLIAMS: I did read it.

16 CHAIRPERSON MILLER: Okay. When
17 did you read it?

18 OFFICER WILLIAMS: Just now when
19 he presented it.

20 CHAIRPERSON MILLER: So you hadn't
21 read it before?

22 OFFICER WILLIAMS: Never.

1 CHAIRPERSON MILLER: So you hadn't
2 read the whole investigation report with
3 attachments?

4 OFFICER WILLIAMS: No. I never
5 received the full packet or anything like
6 that. The only thing I had was a copy of the
7 police report. That's it.

8 CHAIRPERSON MILLER: Okay. And
9 then there is an Exhibit 5 that precedes it.
10 Did you read that?

11 OFFICER WILLIAMS: No.

12 CHAIRPERSON MILLER: Okay. With
13 respect to that other document, it looks like
14 it's Exhibit 1, incident-based event report,
15 is the witness' name that you talked to on
16 this report somewhere?

17 OFFICER WILLIAMS: If you have the
18 internal report, then you may have the
19 witness' name. The external report that the
20 defense counsel may have probably was an
21 external report which it will not reveal a
22 witness name.

1 CHAIRPERSON MILLER: I see.

2 OFFICER WILLIAMS: You know, for
3 security reasons.

4 CHAIRPERSON MILLER: Okay.

5 OFFICER WILLIAMS: But I did
6 provide the counselor here with an internal
7 report if you all want to see it.

8 CHAIRPERSON MILLER: If you do --
9 if you are called on the scene and you
10 interviewed whoever found, particularly this
11 person who called the ambulance, if other
12 officers or if there were other statements
13 that come into the report or whatever, you're
14 not necessarily aware of them. Is that
15 correct? Such as Exhibit 6.

16 OFFICER WILLIAMS: I don't know
17 what that is.

18 CHAIRPERSON MILLER: I'm sorry.
19 It's the --

20 OFFICER WILLIAMS: Normally when
21 we do an investigation, when the Metropolitan
22 Police Department does an investigation, when

1 we interview witnesses that's on the scene, we
2 provide them with a police document, a PD119
3 which is a witness statement.

4 It's an official document. They
5 have to actually sign the bottom and it gives
6 them warning as to making false statements.
7 That's what we utilize. I have no idea what
8 that is.

9 CHAIRPERSON MILLER: Okay. So
10 what's been marked as this Exhibit 6 to the
11 report, the investigation report, is not an
12 official MPD --

13 OFFICER WILLIAMS: It's not an
14 official police document.

15 CHAIRPERSON MILLER: Whatever it
16 is, it's not yours, it's not your
17 department's. Okay.

18 Other questions?

19 MEMBER ALBERTI: I do.

20 CHAIRPERSON MILLER: Mr. Alberti.

21 MEMBER ALBERTI: Ms. Williams, you
22 probably went over this, can you describe to

1 me again what the victim's injuries were?

2 OFFICER WILLIAMS: Apparently he
3 suffered a wound to the back of his head. I'm
4 not sure how long he had to stay in the
5 hospital to obtain medical treatment. The
6 only thing I do know is that once we got on
7 the scene with the ambulance, they had him
8 within a restraint.

9 The only thing I could do is just
10 photograph him at the hospital with the
11 restraints on and so forth. I wasn't able to
12 see if he had some type of laceration in the
13 back of his head or anything like that. I
14 just know that he sustained some type of head
15 injury.

16 MEMBER ALBERTI: Did you see blood
17 on his head?

18 OFFICER WILLIAMS: No, I did not
19 see blood on the scene as to where he fell.
20 I don't recall that. I do recall that -- I
21 just know that he had a patch, some type of
22 restraint on his head.

1 I do recall going to the hospital
2 and they saying that they have to do an
3 examination on his head to see the severity of
4 the injury because he was knocked out for a
5 couple of minutes.

6 MEMBER ALBERTI: When you arrived
7 on the scene, was the victim in the ambulance
8 or outside the ambulance?

9 OFFICER WILLIAMS: He was inside
10 the ambulance.

11 MEMBER ALBERTI: Did you approach
12 him at that time?

13 OFFICER WILLIAMS: Actually, the
14 ambulance personnel stepped out of the
15 ambulance because they were working with him.
16 One of them stepped out and said, "Hey, we
17 called because this male apparently he was
18 pushed," and they told me what happened.

19 They explained that it smelled as
20 though he did consume some type of alcoholic
21 beverage or something consistent with an
22 alcoholic beverage. They also explained that

1 he came to and obviously didn't realize what
2 was going on and he became belligerent and
3 they needed some type of help.

4 MEMBER ALBERTI: Did you have to
5 deal with him being belligerent?

6 OFFICER WILLIAMS: No.

7 MEMBER ALBERTI: Did he come out
8 of the ambulance when you saw him?

9 OFFICER WILLIAMS: No.

10 MEMBER ALBERTI: While you were
11 there?

12 OFFICER WILLIAMS: No, he did not.

13 MEMBER ALBERTI: Because I'm
14 trying to understand this note from Mr. Reyes.
15 "The guy was put in the ambulance and I talked
16 to a female officer. She wasn't too happy.
17 She didn't take down any information. She was
18 accusing the bar of misconduct or something.

19 Then I walked away. The guy then
20 left the ambulance." So it applies from Mr.
21 Reyes' testimony, if I read this correctly,
22 that the sequence of events is you arrived and

1 the guy then leaves the ambulance but you're
2 telling me he didn't leave the ambulance.

3 OFFICER WILLIAMS: No.

4 MEMBER ALBERTI: He remained in
5 the ambulance. Okay. I'm going to go back to
6 Mr. Kline's question about this. Having been
7 to the hospital and talked to the doctors, if
8 you were then confronted with this piece of
9 information, Mr. Reyes' testimony, would you
10 feel the need to investigate further?

11 OFFICER WILLIAMS: I would
12 investigate what he is claiming that
13 transpired but his question was would I say
14 that a crime was committed based --

15 MEMBER ALBERTI: I'm asking you
16 would you investigate further to see if a
17 crime was committed?

18 OFFICER WILLIAMS: No, I had
19 already established a crime was committed.

20 MEMBER ALBERTI: Hypothetically --
21 hypothetically if this was the only
22 information you had, you went to the hospital,

1 talked to the doctor, and then this is the
2 only other piece of information you have,
3 would you at that point conclude that further
4 investigation was needed to determine if a
5 crime was committed?

6 CHAIRPERSON MILLER: I just want
7 to for the record --

8 MEMBER ALBERTI: Hypothetical.

9 CHAIRPERSON MILLER: For the
10 record that is Exhibit 6.

11 MEMBER ALBERTI: Exhibit 6.

12 OFFICER WILLIAMS: Here is the
13 thing. As a police officer the only crime --
14 reading what he wrote the only crime that he
15 suggest is that an unlawful entry was
16 occurring. Okay?

17 If he was asked to leave, talking
18 about the victim, and he refused to leave and
19 tried to go back in, that's unlawful entry.
20 Now, if they prevented him from going in and
21 in doing so he sustained injuries, there
22 wouldn't be a crime against the bouncer.

1 It would be a crime that he tried
2 to unlawfully enter the establishment meaning
3 if he tried to unlawfully enter the
4 establishment, he still should have notified
5 the police. Somebody should have notified the
6 police.

7 MEMBER ALBERTI: Okay. Thank you.
8 When you talked to dispatch, they gave you
9 only one phone number?

10 OFFICER WILLIAMS: Yes. They gave
11 me one name and one phone number. That's what
12 they gave me.

13 MEMBER ALBERTI: I mean, you were
14 part of the conversation. Did you get the
15 sense that they were choosing amongst numbers
16 or it was pretty clear that this is the number
17 that called?

18 MR. KLINE: Objection. I hate
19 objecting to Board Members.

20 MEMBER ALBERTI: It's a leading
21 question.

22 MR. KLINE: I mean, she knows or

1 she doesn't know based on what she was told.

2 MEMBER ALBERTI: Well, she --
3 unless I -- she never detailed what was said
4 during that conversation so I'm trying to
5 understand what she interpreted the response
6 to be based on the questions she asked.

7 From this conversation do you
8 believe -- okay. Let me ask it a different
9 way. Did the dispatcher say, "I have more
10 than one number but I can give you this one."

11 OFFICER WILLIAMS: No.

12 MEMBER ALBERTI: All right. Did
13 she say, "You know, some other people called
14 but I don't have their numbers. This is the
15 only number I have."

16 OFFICER WILLIAMS: No.

17 MEMBER ALBERTI: She just gave you
18 that number?

19 OFFICER WILLIAMS: The name and
20 the number of the caller.

21 MEMBER ALBERTI: Thank you.

22 OFFICER WILLIAMS: That's it.

1 MEMBER ALBERTI: I have no further
2 questions.

3 CHAIRPERSON MILLER: Okay.

4 MEMBER MOBLEY: Madam Chair.

5 CHAIRPERSON MILLER: Yes. Go
6 ahead.

7 MEMBER MOBLEY: A couple of
8 questions.

9 OFFICER WILLIAMS: Yes, please.

10 MEMBER MOBLEY: At anytime during
11 your investigation on the scene, did you make
12 an attempt to determine if there were any
13 other witnesses?

14 OFFICER WILLIAMS: Yes, I did. I
15 actually asked the ambulance personnel, who is
16 the one that advised me of the witness in the
17 first place, "Did you get a name from him?
18 Did you obtain any information?"

19 Like I said, they had already
20 arrived on the scene. They had already -- I'm
21 not sure how long of a period transpired
22 between the time they came on the scene and

1 then when we were called.

2 The only thing I know is whatever
3 transpired, they may have gotten this person
4 from the location where he fell onto the
5 stretcher, onto the -- you know what I mean?
6 The witnesses were not there when I came on
7 the scene to do the investigation. Okay?

8 MEMBER MOBLEY: Okay.

9 OFFICER WILLIAMS: Of course I
10 attempted to get witness information. I even
11 went to the extent of calling a dispatcher to
12 get witness information. Of course, I tried
13 to obtain the information from the bar in
14 spite of the fact that all the chaos that was
15 going on at the bar. We attempt thoroughly to
16 do a thorough investigation in obtaining this
17 information.

18 MEMBER MOBLEY: Okay.

19 OFFICER WILLIAMS: Even to the
20 extent of me going back to the station and
21 saying, "Let me call this number," etc., etc.

22 MEMBER MOBLEY: Okay. Also,

1 again, for the record, I need to ask this. At
2 anytime did the establishment or any employee
3 there attempt to identify and/or bring
4 employees to you to tell you what happened?

5 OFFICER WILLIAMS: No.

6 MEMBER MOBLEY: Okay.

7 OFFICER WILLIAMS: The only person
8 that the bartender brought to me was the
9 manager and he told all the rest of the
10 employees, "You do not have to cooperate with
11 her."

12 MEMBER MOBLEY: And the manager is
13 Stacie Courbois?

14 OFFICER WILLIAMS: I don't recall
15 her name but I'm sure it's in some notes or
16 something.

17 MEMBER MOBLEY: I'm sorry. She
18 told them what now?

19 OFFICER WILLIAMS: She --

20 MEMBER MOBLEY: I'm sorry. What
21 did you say about the manager?

22 OFFICER WILLIAMS: I just said I

1 didn't recall her name at this time. I'm sure
2 it's in some notes.

3 MEMBER MOBLEY: Okay. I'm sorry.
4 I thought you said -- I thought I heard you
5 say that you heard the manager telling the
6 employees --

7 OFFICER WILLIAMS: No, the
8 bartender.

9 MEMBER MOBLEY: Just the
10 bartender.

11 OFFICER WILLIAMS: The bartender
12 is the one who was telling the employees,
13 "Don't cooperate. Go ahead and leave."

14 MEMBER MOBLEY: Okay.

15 OFFICER WILLIAMS: We have a
16 criminal investigation going on. This is
17 serious.

18 MEMBER MOBLEY: Thank you.

19 OFFICER WILLIAMS: Thank you.

20 CHAIRPERSON MILLER: I just have a
21 quick question for you. In Exhibit 2, to the
22 same report, it looks like a series of short

1 emails and one of the emails is directed to
2 you from Mr. Lawson -- Investigator Lawson.

3 OFFICER WILLIAMS: An email?

4 CHAIRPERSON MILLER: That's the
5 same Williams?

6 OFFICER WILLIAMS: Exhibit number?

7 CHAIRPERSON MILLER: Two to the
8 investigation report.

9 MR. RIVERO: Indulgence.

10 CHAIRPERSON MILLER: My question
11 even without that --

12 MR. RIVERO: It is not the same
13 Williams.

14 CHAIRPERSON MILLER: It's not the
15 same Williams. That's what I was wondering.

16 MR. RIVERO: The witness is
17 Shannon Williams.

18 CHAIRPERSON MILLER: Okay. So she
19 probably would not know about this. There was
20 the reference to the possibility of film
21 footage being available.

22 MR. RIVERO: This is not directed

1 to her.

2 CHAIRPERSON MILLER: You have no
3 knowledge of that. Is that right? Okay.

4 Mr. Nophlin.

5 MEMBER NOPHLIN: One quick
6 question.

7 Officer Williams, it has been your
8 testimony that the cooperation you received
9 from the establishment wasn't that great.

10 OFFICER WILLIAMS: I'm sorry?

11 MEMBER NOPHLIN: When you went to
12 investigate the situation, the cooperation you
13 received from the establishment wasn't that
14 great.

15 OFFICER WILLIAMS: Not great at
16 all.

17 MEMBER NOPHLIN: Wasn't great at
18 all. And you gave some examples.

19 OFFICER WILLIAMS: Yes, sir. I
20 did.

21 MEMBER NOPHLIN: And you explained
22 to them specifically what the issues were.

1 OFFICER WILLIAMS: And the
2 severity and the nature of the crime.

3 MEMBER NOPHLIN: The severity of
4 not cooperating.

5 OFFICER WILLIAMS: Yes, I did,
6 sir.

7 MEMBER NOPHLIN: Okay. Thank you.
8 Thank you, Madam Chair.

9 CHAIRPERSON MILLER: Yes, Mr.
10 Jones.

11 MEMBER JONES: Thank you, Madam
12 Chair.

13 You indicated that the bartender
14 -- when you approached the bartender or
15 approached the manager of the establishment
16 during your investigation, you overheard or
17 heard clearly, distinctly the bartender
18 telling the other employees to leave and they
19 did not need to cooperate with you? Did I
20 hear that correctly?

21 OFFICER WILLIAMS: Yes.

22 MEMBER JONES: Okay. Do you have

1 any idea or can you put a rough finger on how
2 many people, how many employees this message
3 was directed to?

4 OFFICER WILLIAMS: What happened
5 was once I was inside the bar and I had
6 established that there was a criminal offense
7 that had occurred and I was doing an
8 investigation. I asked for all of the
9 employees that are bouncers or doormen to come
10 down so that I can obtain their information.

11 At least three -- I want to say it
12 was three. I'm not sure the approximate
13 number. I can't testify to that but I believe
14 it was three and he waved them off saying,
15 "You don't have to come down here. You don't
16 have to cooperate with the investigation.

17 Just go ahead on. I already gave
18 her my license," or something to that effect.
19 "She doesn't need any information." I turned
20 to him and explained to him the severity of
21 the nature of this investigation.

22 MEMBER JONES: Okay. Once you re-

1 explained to this individual the severity --

2 OFFICER WILLIAMS: He still
3 regarded me. At that point I called ABRA.

4 MEMBER JONES: Okay. So when he
5 waved the employees -- let me back up a little
6 bit. If I understand the context, you clearly
7 identified yourself as a representative of the
8 Metropolitan Police Department. Correct?

9 OFFICER WILLIAMS: Sir, I was in
10 full uniform.

11 MEMBER JONES: You were in full
12 uniform so there is no way this possibly could
13 have been misconstrued.

14 OFFICER WILLIAMS: No way.

15 MEMBER JONES: Cool. Just wanted
16 to clear it up for me. So clearly a
17 Metropolitan Police Officer.

18 OFFICER WILLIAMS: Yes, with a
19 marked scout car sitting out front which he
20 came outside and observed.

21 MEMBER JONES: So he also observed
22 that so there is no way possible that he could

1 have misconstrued who you were and what you
2 were there for.

3 OFFICER WILLIAMS: He knew exactly
4 who I was and why I was there.

5 MEMBER JONES: And you put out a
6 request to speak with all of the employees of
7 the establishment or did you say specific
8 employees?

9 OFFICER WILLIAMS: I asked
10 specifically asked for the bouncers or the
11 doormen of the establishment.

12 MEMBER JONES: Okay.

13 OFFICER WILLIAMS: Three males
14 were upstairs, or up some steps. They came
15 down and were attempting to come down and
16 speak with me and he told them to leave. They
17 actually listened to what he said and left as
18 if he was the manager.

19 MEMBER JONES: And your initial
20 request was asked of whom? Was it asked of
21 the bartender?

22 OFFICER WILLIAMS: And the

1 manager.

2 MEMBER JONES: And the manager.

3 OFFICER WILLIAMS: Both of them
4 was there together.

5 MEMBER JONES: Okay. How did the
6 word get from the manager or the bartender to
7 the rest of the staff --

8 OFFICER WILLIAMS: Like I said --

9 MEMBER JONES: -- to initially
10 come down?

11 OFFICER WILLIAMS: Like I said,
12 she did not give me any -- she didn't give me
13 a problem. She didn't know what was going on.
14 The female manager I'm referring to.

15 MEMBER JONES: Understood.

16 OFFICER WILLIAMS: She provided me
17 with the information I asked for but the whole
18 time she was attempting to call someone.
19 Okay? I'm not sure who she was calling.

20 MEMBER JONES: Understood.

21 OFFICER WILLIAMS: I presume that
22 she might have been calling the owner. Okay?

1 I asked for the owner's information. I said,
2 "Let me speak to the owner." In my opinion,
3 I didn't think that she had control over the
4 situation.

5 MEMBER JONES: Understood.

6 OFFICER WILLIAMS: Okay? Over the
7 whole scene. Okay? So I said, "Look here.
8 I need for you guys to bring your employees
9 that work the door or the bouncer, I need them
10 to come down." I remembered seeing when I
11 pulled up on the scene a gentleman that fit
12 the description of what they told me, what the
13 ambulance personnel told me.

14 MEMBER JONES: Understood. So
15 when you made that request, did you see either
16 one of them take action like on a walkie-
17 talkie or radio or some sort to say, "Hey, you
18 guys. I need you to come down to the bar," or
19 to come down to the front door?

20 OFFICER WILLIAMS: They just kind
21 of -- they said -- they went off. I stood
22 there and I waited while music was playing,

1 people were still at the bar, people were
2 drinking. People were everywhere.

3 MEMBER JONES: Continuous
4 operation.

5 OFFICER WILLIAMS: Continuous
6 operation.

7 MEMBER JONES: Understood.

8 OFFICER WILLIAMS: So I was
9 waiting patiently for them to come down and
10 speak with me or come outside or do something.
11 Then all of a sudden after I notified -- after
12 he would not cooperate with me I saw three
13 gentlemen come down. He said, "Don't worry
14 about her. Go ahead on. You all go ahead
15 on." They actually shut down operations.

16 MEMBER JONES: Okay.

17 OFFICER WILLIAMS: Okay? I guess
18 they decided that they -- I'm not sure what
19 they thought they were going to do but the
20 music stopped. People started vacating the
21 premises. All of a sudden now it was clearing
22 out.

1 MEMBER JONES: So bear with me on
2 this.

3 OFFICER WILLIAMS: And at this
4 time he was telling them to leave.

5 MEMBER JONES: Okay. Bear with me
6 on this. I just want to -- I'm trying to
7 narrowly focus on one particular item. This
8 is a very, very important aspect of what would
9 sway me, I'll be perfectly frank, one way or
10 the other as an individual Board Member.

11 You identified yourself and you
12 were clearly identified and you made a
13 request. That request was, "I would like to
14 speak with bouncers," or employees of the
15 establishment of some form. You made that
16 request of both the manager and the bartender?

17 OFFICER WILLIAMS: Yes.

18 MEMBER JONES: Okay. At what
19 point -- did both of them leave you there?

20 OFFICER WILLIAMS: The bartender
21 stayed.

22 MEMBER JONES: The bartender

1 stayed.

2 OFFICER WILLIAMS: He continued
3 business as usual.

4 MEMBER JONES: Okay. So the
5 bartender never left.

6 OFFICER WILLIAMS: The manager
7 walked off.

8 MEMBER JONES: She walked off.

9 OFFICER WILLIAMS: So I was
10 waiting. When the individuals came down from
11 upstairs, I believe it was three males. One
12 was a black -- I remember him, a black tall
13 male. When they came downstairs the bartender
14 from behind the bar told them, "You all go
15 ahead on and leave. You all don't have to."

16 MEMBER JONES: Were you of the
17 impression, or were you of the opinion that
18 this young lady, who we are going to call her
19 the manager for the sake of argument right
20 now, she was responding to your request of
21 trying to speak with the bouncers?

22 OFFICER WILLIAMS: I wasn't sure

1 what she was doing. The reason why I wasn't
2 sure what she was doing is because the only
3 thing she did was provide me with her ID and,
4 I believe, the license information. The rest
5 of the time she was on the phone.

6 MEMBER JONES: Understood. But in
7 order --

8 OFFICER WILLIAMS: She walked off.
9 I'm not going to say she was cooperative or
10 not cooperative. She didn't give me a
11 hassle --

12 MEMBER JONES: Understood.

13 OFFICER WILLIAMS: -- like the
14 bartender did.

15 MEMBER JONES: Understood.

16 OFFICER WILLIAMS: She just kind
17 of walked off. I saw the guys. I saw them
18 come down. She didn't even walk in the same
19 direction as where the guys came from so I'm
20 not sure if they had a walkie-talkie. I don't
21 know anything about any of that. All I know
22 is she went one way and then I saw some guys

1 who I believe were the employees. I wasn't
2 sure because, like I said, there were people
3 in there.

4 MEMBER JONES: Yes, ma'am.

5 OFFICER WILLIAMS: The only reason
6 why I knew is because -- he looked over and
7 told them disregard -- you know, basically he
8 told them, "Don't worry about her. Go ahead
9 on. She has my information and that's all she
10 needs." I turned to him, "Excuse me, sir.
11 You obviously don't understand the severity of
12 the situation."

13 MEMBER JONES: Right.

14 OFFICER WILLIAMS: You know. He
15 knew exactly what I was requesting. I was in
16 full uniform with a marked scout car. Okay?
17 He saw my name and my badge.

18 MEMBER JONES: Okay.

19 OFFICER WILLIAMS: There is no way
20 that he could have misconstrued any
21 information that I was trying to obtain at
22 that time.

1 MEMBER JONES: Okay. Did you have
2 an opportunity to speak with the bartender
3 directly any further or was he individually
4 noncooperative with you in terms of responding
5 to your direct questions?

6 OFFICER WILLIAMS: He was
7 noncooperative. I had to call ABRA.

8 MEMBER JONES: So let me ask you
9 this. If you asked him a specific question,
10 for example, if you said, I hate to use this
11 but hypothetically. I wasn't there so I don't
12 know exactly what questions you were posing,
13 but if you asked him a question such as, "Are
14 you aware of the fact that there was an
15 assault that occurred out in front of your
16 establishment?"

17 OFFICER WILLIAMS: Yes.

18 MEMBER JONES: If you asked him --

19 OFFICER WILLIAMS: I gave him all
20 that information.

21 MEMBER JONES: If you asked him
22 that very question, did he respond to you at

1 all?

2 OFFICER WILLIAMS: When I gave him
3 the information, when I first told him, "Can
4 you do me a favor? Can you come outside?"
5 that's when he first came outside and I gave
6 him all the particulars to what transpired.

7 He began to tell me about -- let
8 me start by saying when I was inside the
9 establishment and I went to speak with him, he
10 asked me about a situation that transpired
11 inside the club. He said, "Oh, are you
12 talking about the guy that was being
13 belligerent?"

14 Something he said to that effect,
15 and I was like, "No." Because it was loud, I
16 said, "Can we step outside and talk?" He
17 stepped outside to talk to me and I asked him
18 for his information and he provided it. I
19 explained to him what transpired outside, what
20 was described to me, and that I was trying to
21 obtain information about that.

22 I said, "Is there a manager

1 working?" He said, "Yes." He went inside and
2 got the manager. The manager came out and I
3 explained everything to her. I attempted to
4 get him to go get the bouncers, which he never
5 did.

6 Therefore, I had to respond back
7 into the bar and say, "Excuse me. Where are
8 your bouncers or your doormen?" At that point
9 is when he was like, "You already have my
10 information," this, that, and the other. I'm
11 like, "Excuse me, sir."

12 The manager who was there was
13 inside with me and I explained I need to see
14 these individuals. I need their information.
15 We have a criminal investigation going on.
16 She said okay. She walks off still on the
17 phone. Some gentlemen came from the other
18 side and he told them to disregard and to
19 leave.

20 MEMBER JONES: Okay.

21 OFFICER WILLIAMS: "She has my
22 information."

1 MEMBER JONES: I'm sorry. I don't
2 mean to interrupt. All that transpired.

3 OFFICER WILLIAMS: Um-hum.

4 MEMBER JONES: You are face to
5 face or within reasonable proximity of the
6 bartender inside the establishment.

7 OFFICER WILLIAMS: Yes.

8 MEMBER JONES: You made a request
9 for him to come outside of the establishment.
10 Did he heed that request?

11 OFFICER WILLIAMS: In the
12 beginning, yes.

13 MEMBER JONES: In the beginning.
14 So he came outside. You explained to him the
15 particular. You both went back inside?

16 OFFICER WILLIAMS: No. He went
17 back inside.

18 MEMBER JONES: He went back inside
19 and you were where?

20 OFFICER WILLIAMS: I continued the
21 investigation. I continued to speak with the
22 manager outside.

1 MEMBER JONES: Outside.

2 OFFICER WILLIAMS: Right.

3 MEMBER JONES: So you were
4 outside. At any point did you go back into
5 the establishment?

6 OFFICER WILLIAMS: Right. When
7 they never came out --

8 MEMBER JONES: Yes.

9 OFFICER WILLIAMS: When he didn't
10 come out and the bouncers didn't come out, I
11 had to go back inside to find out, "Okay,
12 where are the bouncers?"

13 MEMBER JONES: Understood. So
14 when you went back inside, you found him
15 working at the bar?

16 OFFICER WILLIAMS: Yes.

17 MEMBER JONES: Okay.

18 OFFICER WILLIAMS: Behind the bar.

19 MEMBER JONES: And did you have
20 opportunity at that point to ask him any
21 specific questions related to your
22 investigation outside of, "Hey, I want to talk

1 to your employees." Were you able to ask him
2 anything or did you even bother?

3 OFFICER WILLIAMS: I didn't try to
4 ask him anything outside of that other than,
5 "Sir, did you get the bouncers? Where are
6 they?"

7 MEMBER JONES: Okay.

8 OFFICER WILLIAMS: You know what I
9 mean?

10 MEMBER JONES: All right.

11 OFFICER WILLIAMS: He had already
12 -- I had already described all the
13 circumstances surrounding why we was there.

14 MEMBER JONES: Understood. One
15 last question somewhat related but not
16 totally. You indicated there was a white or
17 light-complected individual, bald head, that
18 you initially recognized and you believed was
19 an employee of the establishment?

20 OFFICER WILLIAMS: Right. When I
21 first pulled up.

22 MEMBER JONES: When you first

1 pulled up.

2 OFFICER WILLIAMS: I just -- you
3 know, when I first pulled up I saw a male
4 standing at the doorway.

5 MEMBER JONES: Did you ever have
6 opportunity to confirm whether or not that
7 individual was actually employed with the
8 establishment?

9 OFFICER WILLIAMS: No.

10 MEMBER JONES: No.

11 OFFICER WILLIAMS: I never even
12 saw him again after that.

13 MEMBER JONES: Okay.

14 OFFICER WILLIAMS: It was sort of
15 like when he saw us pull up, he went back into
16 the establishment.

17 MEMBER JONES: Understood. And
18 you never saw him again from the time that you
19 initially -- once you initially encountered
20 him or saw him?

21 OFFICER WILLIAMS: I first saw him
22 when I pulled up on the scene and I was

1 standing out there and obtaining information.
2 He went back into the bar.

3 MEMBER JONES: Understood.

4 OFFICER WILLIAMS: Then when I got
5 all the particulars, I said, "I saw a guy
6 standing out there with a button-up shirt.
7 Can you bring your employees out, or bouncers
8 or your doormen?"

9 MEMBER JONES: The individual with
10 the button-up shirt, light-complected or white
11 complected individual with the bald head,
12 based on your recollection did he appear to be
13 working the door?

14 OFFICER WILLIAMS: Yes.

15 MEMBER JONES: Did he appear to be
16 dressed in attire suitable for security staff
17 of that establishment?

18 OFFICER WILLIAMS: Yes.

19 MEMBER JONES: Okay. Does that
20 establishment have a uniform?

21 OFFICER WILLIAMS: Because the
22 other gentleman had on black button-up shirt.

1 I think it was a black button-up shirt as
2 well. He had come down.

3 MEMBER JONES: Okay. Does that
4 establishment have -- to your knowledge does
5 that establishment have a defined uniform for
6 the security staff?

7 OFFICER WILLIAMS: I wouldn't be
8 able to attest to that.

9 MEMBER JONES: Thank you.
10 Thank you, Madam Chairperson.

11 CHAIRPERSON MILLER: Any other
12 Board questions? I think we are at recross.
13 Am I correct?

14 MR. KLINE: I don't have any.

15 CHAIRPERSON MILLER: Okay.
16 Redirect?

17 MR. RIVERO: No redirect. Thank
18 you.

19 CHAIRPERSON MILLER: Then you can
20 be excused. Thank you very much.

21 MEMBER SILVERSTEIN: Thank you for
22 your service.

1 OFFICER WILLIAMS: Thank you.

2 CHAIRPERSON MILLER: Any other
3 witnesses, Mr. Rivero?

4 MR. RIVERO: Not for the
5 Government. If we could have a two-minute --

6 CHAIRPERSON MILLER: Yes. You
7 want two minutes?

8 MR. RIVERO: I need to step
9 outside for a moment.

10 CHAIRPERSON MILLER: Okay.

11 (Whereupon, at 6:18 p.m. off the
12 record until 6:20 p.m.)

13 CHAIRPERSON MILLER: On the
14 record.

15 MR. RIVERO: I just wanted the
16 record to reflect I had made the motion to
17 accept -- to enter Government's Exhibit 2 into
18 evidence which is the Investigative Report
19 with attachments, but I don't recall it
20 actually --

21 CHAIRPERSON MILLER: Being
22 admitted?

1 MR. RIVERO: -- being admitted so
2 I just want the record to be clear on that
3 point since it was stipulated that it be
4 admitted into evidence. That's all.

5 CHAIRPERSON MILLER: Okay. If we
6 are on the record, I will admit it now. We've
7 gotten copies of all the attachments.

8 MR. RIVERO: Okay. Thanks.

9 CHAIRPERSON MILLER: Okay.
10 (Whereupon, the document marked
11 for identification as Government
12 Exhibit 2 was received into
13 evidence.)

14 CHAIRPERSON MILLER: Okay. Are we
15 ready to proceed?

16 MR. KLINE: Yes.

17 CHAIRPERSON MILLER: Okay.

18 MR. KLINE: Madam Chairperson, we
19 -- do you rest?

20 MR. RIVERO: That's correct.
21 Government's Exhibit 2 has been admitted into
22 evidence which is Investigator Lawson's report

1 in this matter, together with his exhibits to
2 that report. On the basis of that and the
3 Government's Exhibit 1, and the witness'
4 testimony that we presented, the Government
5 rests.

6 CHAIRPERSON MILLER: Okay. Thank
7 you.

8 MR. KLINE: Thank you.

9 Madam Chairperson, we came here
10 today to respond to charges that this
11 establishment failed to comply with the
12 security plan and we are prepared to put on a
13 case to meet those charges.

14 Based on the questions that have
15 been asked, I understand that the Board has
16 concerns and I respect those concerns as
17 legitimate. We are not prepared to deal with
18 the issues that have raised by the Board in
19 terms of lack of cooperation. We don't have
20 our witnesses here on that. We were not
21 expecting to try that case today.

22 One Board Member has said that

1 their decision in this case will rest on what
2 happened after the incident which gave rise to
3 the charges that occurred. The charge is
4 simply failing to contact the police when an
5 incident occurred. That's what charge 3 is.
6 That's what we are here to talk about.

7 As I said before, I hesitate to
8 object to Board Member's questions but much of
9 what was asked was not relevant to these
10 charges. I don't disrespect the Board in
11 terms of expressing concerns about those
12 issues.

13 It was simply not fair to the
14 licensee to come here expecting to answer one
15 charge and be faced with Board Member
16 questions, which we don't want to object to,
17 that relate to a completely different charge
18 or relate to something that is not relevant to
19 the charge.

20 We would ask that this hearing be
21 continued to give the licensee an opportunity
22 to bring its witnesses here which will rebut

1 much of what was testified to by the officer
2 and will corroborate the statements that are
3 attached to the report. We don't know any
4 other way of fairly dealing with what's in the
5 record at this point, most of which doesn't
6 relate to what's been charged.

7 CHAIRPERSON MILLER: Okay. I have
8 a comment on that.

9 Mr. Rivero, do you have anything
10 you would like to say before I comment?

11 MR. RIVERO: The Government does
12 not have an objection to opposing counsel's
13 request, first of all. I understand that a
14 request has been made for a continuance. To
15 the extent that such a request has been made,
16 the Government does not object.

17 However, the record does -- the
18 report by Investigator Lawson does indicate
19 that various employees of the licensee made
20 statements that became part of the
21 investigation which were then subsequently
22 made available to the licensee.

1 The fact that people made
2 statements that are on the record is a fact
3 that has been known for some time. That is
4 the only thing that I can see. I know that
5 there are people who made written statements
6 and we've got them and we're talking about
7 them. It's something that has been known for
8 some time.

9 Now, I do not have an opinion on
10 opposing counsel's characterization of what
11 the Board conduct has been with respect to
12 questions. To the extent that there is any
13 request for continuance, the Government does
14 not object.

15 CHAIRPERSON MILLER: I want to
16 just look at this from another angle and that
17 is there are these charges and that's what you
18 are on notice that you are here today for. My
19 question is if other evidence came into the
20 record that is not relevant to these charges
21 that the Board is capable of parsing them out
22 and just looking at the evidence that relates

1 to the charges.

2 MR. KLINE: I would ask any Board
3 Member who believes that what happened during
4 the course of the investigation, and not
5 related to whether police were called or not
6 is somehow relevant to the disposition of
7 charge 3, recuse themself.

8 CHAIRPERSON MILLER: Let me just
9 say this. I mean, sometimes it's possible
10 that question can be asked during a hearing
11 and then afterwards you realize we went a
12 little bit too far and we don't need to
13 consider that, or we shouldn't consider that.

14 I'm not sure that a recusal is
15 necessary at this point because I'm not sure
16 the Board Members are going to go further when
17 we are reminded of what the charges are.

18 MR. KLINE: I mean, to the extent
19 -- I mean, I would ask any Board Member to the
20 extent that they feel that the testimony that
21 was given by the officer that doesn't relate
22 to the very simple charge of whether this

1 establishment failed to call the police as
2 required by the security plan, that they find
3 it upon themselves to recuse themselves.

4 That's all I'm asking. I'm not
5 noting that any particular Board Member recuse
6 themselves. I think it's up to the individual
7 Board Members to make that decision.

8 CHAIRPERSON MILLER: Board Members
9 are welcome to speak to this because we need
10 to be clear.

11 MEMBER ALBERTI: Mr. Kline, the
12 question as to cooperation I believe are
13 relevant because they go to the credibility of
14 other statements that maybe have been made
15 about whether or not employees of the
16 establishment called the police.

17 Their conduct in one arena, in one
18 facet, I think reflects on the possibility of
19 the way they conducted themselves in another
20 facet. I think it is relevant. It's not
21 relevant to penalize -- certainly we can't
22 penalize you on a charge of noncooperation but

1 I think it is relevant in terms of the whole
2 picture of trying to get at the veracity of
3 any statements that are going to be made about
4 the charge at hand.

5 Certainly I would argue that
6 during your closing arguments you can focus
7 the Board on the charges at hand and the
8 evidence that's relevant and trust that the
9 Board will do -- we'll deal with the evidence
10 appropriately.

11 CHAIRPERSON MILLER: Mr.
12 Silverstein.

13 MEMBER SILVERSTEIN: Mr. Kline,
14 having bad acts is always admissible. If you
15 are trying to determine whether a place
16 called, you can certainly take into account
17 what happened when the people got there and if
18 they said, "Don't cooperate with them," this
19 might make it appear as evidence that they did
20 not make that initial call.

21 If you are going to bring in
22 evidence such as this Exhibit 6, then all

1 these other pieces are also there to determine
2 who do we believe, who do we trust, how does
3 this all fit into one big picture.

4 CHAIRPERSON MILLER: Is there
5 anything else from Board Members? I just want
6 to ask is there a motion before us that we
7 continue this?

8 MR. KLINE: The motion is that the
9 hearing be continued to give the licensee an
10 opportunity to rebut what, in effect, has been
11 put on the record as a result of questions for
12 Board Members concerning lack of cooperation.

13 I have to comment on bad acts. A
14 history of bad acts is not always admissible.
15 Certainly bad acts that don't relate to not
16 calling the police wouldn't be admissible in
17 this particular case, although it is an
18 administrative hearing and certainly the Board
19 has wide latitude in terms of deciding what to
20 admit or not to admit. That doesn't make it
21 relevant and it doesn't make it fair when the
22 charges specify are narrow and relate to a

1 particular issue.

2 CHAIRPERSON MILLER: Okay. Thank
3 you.

4 MR. KLINE: I mean, I would think
5 that the Board after hearing the officer talk
6 about the conduct of this licensee would want
7 to hear from the licensee. For the Board to
8 suppose that we would have presumed that would
9 have been the issue in this case as seen by
10 one or more Board Members, I would suggest
11 that you look at charge 3 and its narrowness
12 and would suggest, no, we weren't on notice of
13 that.

14 I would hope that the Board would
15 give the licensee the opportunity to bring its
16 witnesses forward live to the extent that
17 Board Members believe that issue is relevant.
18 Either it's a history of bad acts or relevant
19 to the ultimate determination of this case.

20 CHAIRPERSON MILLER: Okay. Thank
21 you. We are going to take a moment to
22 consider the motion so I am going to read this

1 again.

2 As Chairperson of the Alcoholic
3 Beverage Control Board for the District of
4 Columbia and in accordance with Section 405 of
5 the Open Meetings Amendment Act of 2010, I
6 move that the ABC Board hold a closed meeting
7 on Case #10-251-00245 and #11-251-00146 for
8 the purpose of seeking legal advice from our
9 counsel and to consider deliberating on the
10 motion that is being raised in this case on
11 the Board's agenda for January 25th.

12 Is there a second?

13 MEMBER NOPHLIN: Second.

14 CHAIRPERSON MILLER: Mr. Nophlin,
15 how do you vote?

16 MEMBER NOPHLIN: I agree.

17 CHAIRPERSON MILLER: Mr. Brooks.

18 MEMBER BROOKS: I agree.

19 CHAIRPERSON MILLER: Mr. Alberti.

20 MEMBER ALBERTI: I disagree.

21 CHAIRPERSON MILLER: Ms. Miller, I
22 agree.

1 Mr. Silverstein.

2 MEMBER SILVERSTEIN: I disagree.

3 CHAIRPERSON MILLER: Ms. Mobley.

4 MEMBER MOBLEY: I agree.

5 CHAIRPERSON MILLER: Mr. Jones.

6 MEMBER JONES: I agree.

7 CHAIRPERSON MILLER: Okay. The
8 vote is five to two in favor of the motion to
9 go for a closed meeting. We'll be back
10 shortly.

11 (Whereupon, at 6:33 p.m. off the
12 record until 6:57 p.m.)

13 CHAIRPERSON MILLER: Okay, we're
14 back on the record.

15 There is a motion, as I
16 understand, for a continuance of this hearing
17 in light of other testimony that came out
18 today that Mr. Kline has said they weren't
19 prepared to address and he thinks it's beyond
20 the scope if I captured that correctly.

21 In any event, I would recommend
22 against the continuance. I think that the

1 charge that we are considering is a fairly
2 narrow one.

3 I just want to read it for the
4 record. "You failed to comply with your
5 establishment's security plan by failing to
6 immediately contact the police as required in
7 violation of D.C. Official Code Section 25-
8 823(6) for which the Board may take the
9 proposed action pursuant to D.C. Official Code
10 Section 25-823(6).

11 I am of the view that Mr. Kline
12 was prepared -- is prepared to address that
13 charge. The fact that there is some testimony
14 that he considers to be beyond the scope, I
15 would just say this; the Board will give the
16 evidence the weight it deserves. Therefore,
17 I don't think there is any need for a
18 continuance.

19 Is there a second?

20 MEMBER NOPHLIN: Second.

21 CHAIRPERSON MILLER: Are there
22 further Board comments? Okay. All those in

1 favor of the motion say aye.

2 BOARD MEMBERS: Aye.

3 CHAIRPERSON MILLER: All those
4 opposed. All those abstaining. The motion
5 passes seven to zero.

6 Mr. Kline are you going to be
7 putting on any witnesses?

8 MR. KLINE: Yes, call to the stand
9 Supervisory Investigator Greg Stewart.

10 CHAIRPERSON MILLER: Mr. Stewart,
11 you are going to be sworn in. Do you swear to
12 tell the whole truth and nothing but the truth
13 so help you God?

14 INVESTIGATOR STEWART: Yes, ma'am.

15 CHAIRPERSON MILLER: Okay. Thank
16 you.

17 MR. KLINE: Good evening,
18 Investigator Stewart.

19 INVESTIGATOR STEWART: Good
20 evening. Excuse me. I would like to
21 apologize for my dress. I just started my
22 evening shift so I was not prepared to be a

1 witness.

2 CHAIRPERSON MILLER: No problem.

3 MR. KLINE: For the record, you
4 are employed by ABRA?

5 INVESTIGATOR STEWART: Yes, sir.

6 MR. KLINE: And you're employed as
7 a supervisory investigator?

8 INVESTIGATOR STEWART: Yes, sir.

9 MR. KLINE: All right. And you
10 were working the evening of October 9 of 2010?

11 INVESTIGATOR STEWART: I believe
12 so.

13 MR. KLINE: Okay. Turning your
14 attention to that evening, were you contacted
15 in reference to an alleged incident or
16 something that was going on at Cafe Citron?

17 INVESTIGATOR STEWART: Yes, sir.

18 MR. KLINE: And by whom were you
19 contacted?

20 INVESTIGATOR STEWART: I was
21 contacted once on the ABRA hotline by the
22 Metropolitan Police Department, a female

1 officer. I'm not sure what her name is. I
2 was also contacted by a member of Cafe Citron
3 on my ABRA work phone.

4 MR. KLINE: Okay. About what time
5 were you contacted by each?

6 INVESTIGATOR STEWART: Again, I
7 couldn't tell you, sir, without looking at the
8 report. I was not prepared to be here today.

9 MR. KLINE: Okay. Fair enough.
10 If we showed you the report, would that
11 potentially refresh your -- let me withdraw
12 that. In terms of the two calls that you
13 received, which call did you receive first?

14 INVESTIGATOR STEWART: Again, I
15 couldn't recall at this point. They were
16 relatively close, within maybe two or three
17 minutes of each other.

18 MR. KLINE: Within two or three
19 minutes of each other?

20 INVESTIGATOR STEWART: Yes.

21 MR. KLINE: All right. Was it an
22 Officer Williams that contacted you if you

1 recall?

2 INVESTIGATOR STEWART: I believe
3 that's her name.

4 MR. KLINE: What did she say to
5 you?

6 INVESTIGATOR STEWART: That she
7 was having a problem. An incident had
8 occurred. Again, I don't know the details but
9 she was having a problem with the staff
10 cooperating at Cafe Citron.

11 MR. KLINE: All right. Keeping in
12 mind you don't recall which call you received
13 first, you also received the call from
14 somebody in Cafe Citron. Correct?

15 INVESTIGATOR STEWART: Yes.

16 MR. KLINE: And who was that?

17 INVESTIGATOR STEWART: Stacie
18 Courbois. I can't say her last name correctly
19 but Stacie.

20 MR. KLINE: Okay. And to your
21 knowledge what is her position there?

22 INVESTIGATOR STEWART: I think she

1 was a manager at the time.

2 MR. KLINE: What did she tell you?

3 INVESTIGATOR STEWART: She advised
4 me that there were some officers being -- that
5 were there being aggressive and if I was in
6 the area could we stop by and assist them
7 because they were trying to cooperate but she
8 didn't know what else to do.

9 MR. KLINE: Okay. In terms of
10 when she said she didn't know what else to do,
11 what did she tell you was going on?

12 INVESTIGATOR STEWART: Well, we
13 happened to be in the area, Investigator
14 Lawson and myself. I think we were there
15 within like five or 10 minutes. When we came
16 up we were approached by Officer Williams.

17 Again, I don't know all the
18 details. I don't recall to my best
19 recollection, but I do recall going inside and
20 the staff -- Officer Williams went inside with
21 me and she was trying to get information from
22 some of the staff members.

1 I think they were bartenders at
2 the time. And the bartenders, in turn, looked
3 like they were highly agitated at Officer
4 Williams. I knew Stacie from going to Cafe
5 Citron from a professional standpoint, but I
6 didn't know these bartenders and I asked if
7 they would just cooperate with whatever the
8 officer is requesting of them. Things calmed
9 down from there.

10 MR. KLINE: And did they cooperate
11 at that point?

12 INVESTIGATOR STEWART: Yes. As
13 far as I know they did.

14 MR. KLINE: How long were you
15 there? Do you recall?

16 INVESTIGATOR STEWART: Ten
17 minutes.

18 MR. KLINE: Did you assist and
19 make sure that Officer Williams was able to
20 complete her investigation at that time?

21 INVESTIGATOR STEWART: I don't
22 know if she completed her investigation but

1 she didn't ask anything else of me while I was
2 there.

3 MR. KLINE: Okay. To your
4 knowledge while you were there, were the
5 bartenders cooperative in terms of questions
6 that might have been asked by Officer
7 Williams?

8 INVESTIGATOR STEWART: Again, it
9 was brief. I introduced them that they needed
10 to cooperate and I kind of stepped aside to
11 confer with Investigator Lawson.

12 MR. KLINE: Is it fair to say that
13 when you got there you found tension?

14 INVESTIGATOR STEWART: Oh,
15 absolutely.

16 MR. KLINE: From what you knew and
17 from what you were told, what did you believe
18 that tension stemmed from?

19 INVESTIGATOR STEWART: I think it
20 was a lack of communication on both sides not
21 understanding what the other one wanted or was
22 trying to get to. Stacie appeared to be very

1 flustered. Officer Williams, again, was like,
2 "There's a problem and I need to get it done
3 right now." That's where I came in kind of
4 not knowing what happened prior to my arrival.

5 MR. KLINE: Is it fair to say that
6 Officer Williams was angry?

7 INVESTIGATOR STEWART: She was
8 tense. I would say she was mad about anything
9 but she was definitely tense.

10 MR. KLINE: Okay. Thank you.

11 I don't have any further questions
12 of the witness.

13 CHAIRPERSON MILLER: Any Board
14 questions?

15 Mr. Fernando.

16 MR. RIVERO: Rivero.

17 CHAIRPERSON MILLER: I'm sorry.
18 There I go again.

19 MR. RIVERO: That's quite all
20 right. I don't believe it's the last time
21 that will happen.

22 Mr. Stewart, you testified that

1 you knew Stacie from having been to Cafe
2 Citron before?

3 INVESTIGATOR STEWART: Yes.

4 MR. RIVERO: What did you mean by
5 that?

6 INVESTIGATOR STEWART: Doing
7 regulatory inspections over the years.

8 MR. RIVERO: Over the years?

9 INVESTIGATOR STEWART: According
10 to the response of complaints or whatever.

11 MR. RIVERO: Okay. Had you
12 received any information about what was
13 transpiring in that location prior to the
14 phone calls that you received from the ABRA
15 hotline and the other cell phone that you
16 carry?

17 INVESTIGATOR STEWART: No.

18 MR. RIVERO: And your contact with
19 Officer Williams and Stacie that night you
20 testified amounted to how many minutes?

21 INVESTIGATOR STEWART: The contact
22 when I arrived?

1 MR. RIVERO: Um-hum.

2 INVESTIGATOR STEWART:

3 Approximately 10 minutes.

4 MR. RIVERO: Okay. And when did
5 you leave? How long were you there?

6 INVESTIGATOR STEWART: Again, 10
7 minutes.

8 MR. RIVERO: So you were at the
9 establishment 10 minutes and you left?

10 INVESTIGATOR STEWART: Yes.

11 MR. RIVERO: Okay. Did you leave
12 by yourself?

13 INVESTIGATOR STEWART: Me and
14 Investigator Lawson left together.

15 MR. RIVERO: Okay.

16 No further questions.

17 CHAIRPERSON MILLER: Board
18 Members?

19 Yes, Mr. Nophlin.

20 MEMBER NOPHLIN: Investigator
21 Stewart, let me ask you something. Were you
22 co-author of the report?

1 INVESTIGATOR STEWART: Sir, I will
2 have to take a look at the report.

3 MEMBER NOPHLIN: I'm sorry. You
4 didn't have a chance to review it.

5 INVESTIGATOR STEWART: Yes, sir.

6 MEMBER NOPHLIN: My next question
7 for you would be did you think there was any
8 violation in terms of their security plan?

9 INVESTIGATOR STEWART: Again, I
10 will have to read the report. I'm not
11 prepared for this.

12 MEMBER NOPHLIN: Okay. That's
13 fair. The last thing, were there any cameras
14 there?

15 INVESTIGATOR STEWART: Again, that
16 wasn't part of my investigation so I can't
17 recall, sir.

18 MEMBER NOPHLIN: Thank you.

19 INVESTIGATOR STEWART: Yes, sir.

20 CHAIRPERSON MILLER: Other
21 questions?

22 MEMBER ALBERTI: Yes.

1 CHAIRPERSON MILLER: Okay.

2 MEMBER ALBERTI: I just want to
3 make sure I understood you, Investigator
4 Stewart. You said that the two calls, one
5 from Officer Williams and one from Ms.
6 Courbois.

7 INVESTIGATOR STEWART: Courbois.
8 How do you say your last name?

9 MS. COURBOIS: Courbois.

10 MEMBER ALBERTI: Courbois. Sorry.
11 How long apart were they?

12 INVESTIGATOR STEWART: Two to
13 three minutes, sir.

14 MEMBER ALBERTI: Two to three
15 minutes. The nature of Ms. Courbois' call, or
16 the reason for her call to you?

17 INVESTIGATOR STEWART: She sounded
18 upset. I could tell that she was upset. She
19 was like, "The police are here telling us
20 we're not cooperating." She said, "The lady
21 is being aggressive with me. Is there any
22 chance that you guys are in the area? Tell us

1 what we need to do because I don't know what
2 else to do." She sounded really, really
3 flustered.

4 MEMBER ALBERTI: Okay. Thank you.

5 I have no further questions.

6 CHAIRPERSON MILLER: Yes, Ms.

7 Mobley.

8 MEMBER MOBLEY: Did Ms. Courbois
9 at anytime state what brought the Metropolitan
10 Police Department person to the scene?

11 INVESTIGATOR STEWART: She may
12 have, ma'am. Again, I apologize for not being
13 prepared to be here. To my recollection there
14 was an incident of some sort.

15 MEMBER MOBLEY: You can't recall?

16 INVESTIGATOR STEWART: I can't
17 recall exactly if she stated that to me.

18 MEMBER MOBLEY: Thank you.

19 Thank you.

20 CHAIRPERSON MILLER: Yes, Mr.

21 Jones.

22 MEMBER JONES: Thank you, Madam

1 Chair.

2 Just to be clear, when you
3 received the call from the representative of
4 the establishment, that was before or after
5 the call from the officer?

6 INVESTIGATOR STEWART: Again, I
7 couldn't tell you which one came first, sir.
8 I apologize.

9 MEMBER JONES: Okay. The call
10 that you got from the representative of the
11 establishment, did that call indicate -- what
12 did she specifically communicate to you in
13 that phone call?

14 INVESTIGATOR STEWART: To
15 paraphrase, she wanted to know, I believe --
16 how do I say this? I think she believed that
17 the officers were overstepping their bounds
18 and being aggressive.

19 MR. RIVERO: Objection. I'm
20 sorry. The witness is answering what he
21 thinks happened but that is not the question
22 that is being asked. The question that is

1 being asked is what was said. The witness has
2 already answered that question two times
3 already.

4 CHAIRPERSON MILLER: Mr. Jones,
5 what was your question?

6 MEMBER JONES: I'll rephrase.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER JONES: Supervisory
9 Investigator Stewart, for the purposes of
10 clarification and for my slowness and my
11 obtuseness, can you tell me whether or not the
12 call that you got from the representative of
13 the establishment reported to you that there
14 was an incident that occurred at the
15 establishment and that is why they wanted you
16 to come on the scene?

17 INVESTIGATOR STEWART: The reason
18 for the phone call was that there was an
19 incident and they were asking me to arrive to
20 check out what happened. Am I putting it in
21 the right context?

22 MEMBER JONES: In your

1 professional capacity --

2 INVESTIGATOR STEWART: I don't
3 believe the call was to advise me that there
4 was an incident at the establishment.

5 MEMBER JONES: You do not believe
6 that was the case?

7 INVESTIGATOR STEWART: No.

8 MEMBER JONES: Okay. Did the
9 individual to your recollection tell you that
10 an assault had occurred at the establishment
11 and they wanted to report that assault to you
12 as per their security plan?

13 INVESTIGATOR STEWART: No.

14 MEMBER JONES: Okay. Thank you.
15 Thank you, Madam Chair.

16 CHAIRPERSON MILLER: Okay. Mr.
17 Stewart, can you remember what she said to
18 you?

19 INVESTIGATOR STEWART: Not
20 verbatim.

21 CHAIRPERSON MILLER: You were
22 asked questions about was it this or was it

1 that, but do you remember what she stated?

2 INVESTIGATOR STEWART: Not
3 verbatim. That's why I wish I could have
4 prepared to tell you what call came first and
5 kind of refresh my memory but I'm not sure
6 what came first.

7 CHAIRPERSON MILLER: That's okay.
8 I know you're not sure which came first. Do
9 you think you can paraphrase what she said?

10 INVESTIGATOR STEWART: That an
11 incident had occurred. That the officer -- I
12 don't want to say the term threatening but I
13 believe she said they were doing everything
14 they could possibly do but the officer was a
15 little aggressive and she was kind of rattled.

16 CHAIRPERSON MILLER: Okay. My
17 next question is in your experience as an
18 investigator where there are security plans to
19 contact the police when there has been an
20 incident, do establishments contact you
21 instead of the police or before the police?
22 Have you had that experience?

1 INVESTIGATOR STEWART: I've had
2 that experience where establishments have
3 contacted me regarding incidents prior to --
4 before the Metropolitan Police.

5 CHAIRPERSON MILLER: Is there a
6 general reason for that?

7 INVESTIGATOR STEWART: We're out
8 in the industry, I guess, every day and our
9 business cards are out there and such. A lot
10 of times we'll get phone calls saying, "We
11 just had an incident. We're going to contact
12 MPD. We wanted to let you guys know if you
13 happen to be in the area." It's not uncommon.

14 CHAIRPERSON MILLER: Okay. I
15 don't have any other questions.

16 Recross? Yes.

17 There are no other Board
18 questions, are there?

19 MEMBER ALBERTI: Just real quick.
20 Just to confirm, the report says approximately
21 3:40 a.m. Would the report be correct as far
22 as you know?

1 INVESTIGATOR STEWART: Yes, sir.
2 If that is what Investigator Lawson wrote out,
3 I would assume it's correct.

4 MEMBER ALBERTI: Thank you.

5 CHAIRPERSON MILLER: Okay.

6 Mr. Rivero.

7 MR. RIVERO: It's fair to say this
8 isn't your case. Is it?

9 INVESTIGATOR STEWART: That's
10 correct.

11 MR. RIVERO: You didn't write this
12 report, did you?

13 INVESTIGATOR STEWART: That's
14 correct.

15 MR. RIVERO: You didn't do any of
16 the things that are -- any of the
17 investigative work that is described in this
18 report, did you?

19 INVESTIGATOR STEWART: No, sir.

20 MR. RIVERO: So you don't
21 understand this to have been a case assigned
22 to you?

1 INVESTIGATOR STEWART: That's
2 correct.

3 MR. RIVERO: No further questions.

4 MR. KLINE: I don't have anything
5 further of the witness. Thank you.

6 CHAIRPERSON MILLER: Okay. Thank
7 you very much.

8 INVESTIGATOR STEWART: All right.
9 Thank you.

10 MR. KLINE: Thank you,
11 Investigator.

12 MEMBER ALBERTI: Have a good
13 evening.

14 MR. KLINE: I would call to the
15 stand Clelia Berindoague.

16 CHAIRPERSON MILLER: I'm going to
17 swear you in. Do you swear to tell the truth,
18 the whole truth, and nothing but the truth so
19 help you God?

20 MS. BERINDOAGUE: Yes, I do.

21 CHAIRPERSON MILLER: Okay. Thank
22 you.

1 MR. KLINE: State your name for
2 the record, please.

3 MS. BERINDOAGUE: Clelia
4 Berindoague.

5 MR. KLINE: What is your
6 connection with -- you may sit down. What is
7 your connection with Cafe Citron?

8 MS. BERINDOAGUE: General manager
9 and member now.

10 MR. KLINE: Okay. And --

11 CHAIRPERSON MILLER: I'm sorry. I
12 couldn't hear her. There's a microphone. We
13 had trouble hearing you.

14 MS. BERINDOAGUE: Okay. I'm the
15 general manager and recently a member of the
16 LLC.

17 MR. KLINE: Member of the Limited
18 Liability Company. That's the licensee. Is
19 that what you're saying?

20 MS. BERINDOAGUE: Yes.

21 MR. KLINE: Okay. Great. All
22 right. You are familiar, at least generally,

1 with the events of October 9th of 2010.

2 Correct?

3 MS. BERINDOAGUE: I'm familiar,
4 yes.

5 MR. KLINE: All right. I'm going
6 to show you what we have marked as Licensee's
7 Exhibit 1 and ask you if you can identify that
8 document.

9 (Whereupon, the document was
10 marked Licensee Exhibit 1 for
11 identification.)

12 MS. BERINDOAGUE: I apologize. I
13 left my glasses. I'm sorry.

14 MR. KLINE: Can you identify the
15 document and tell the Board what it is?

16 MS. BERINDOAGUE: Yes. This is an
17 incident report filled out by one of the
18 security on the night when this specific
19 incident happened.

20 MR. KLINE: All right. It's two
21 pages. Correct?

22 MS. BERINDOAGUE: Yes.

1 MR. KLINE: Madam Chair, I would
2 move Licensee's Exhibit 1.

3 MR. RIVERO: No objection.

4 MR. KLINE: The second page of
5 that document -- the second page of that
6 document has a handwritten statement. Is that
7 correct?

8 MS. BERINDOAGUE: Yes.

9 MR. KLINE: And what is that?

10 MS. BERINDOAGUE: That is --

11 CHAIRPERSON MILLER: I would like
12 to admit it but I'm not sure I have the right
13 document. We don't have a handwritten
14 statement behind it.

15 So there is no objection?

16 MR. RIVERO: None.

17 CHAIRPERSON MILLER: Okay. So
18 then this is admitted.

19 (Whereupon, the document marked as
20 Licensee Exhibit 1 for
21 identification was received into
22 evidence.)

1 MR. KLINE: Page 2 is a
2 handwritten statement. Is that correct?

3 MS. BERINDOAGUE: Yes, it's a
4 handwritten statement by Nelson Peraza.

5 MR. KLINE: And that's dated?

6 MS. BERINDOAGUE: October 9, 2010.

7 MR. KLINE: On the form there is
8 no particular date. Is there? On the first
9 page of the document.

10 MS. BERINDOAGUE: The same night.
11 This was together with all the other incidents
12 that we have.

13 MR. KLINE: With the other
14 incident report that you have?

15 MS. BERINDOAGUE: Yes.

16 MR. KLINE: Okay. Now, you
17 weren't there that night. Correct?

18 MS. BERINDOAGUE: No, I wasn't.

19 MR. KLINE: But you got a report
20 of what happened?

21 MS. BERINDOAGUE: Yes, I got the
22 report the next day.

1 MR. KLINE: And this was completed
2 by Mr. Nelson Peraza?

3 MS. BERINDOAGUE: Yes, this one
4 is.

5 MR. KLINE: And he was an employee
6 of yours at that time?

7 MS. BERINDOAGUE: Yes, he was.

8 MR. KLINE: Did you know him to be
9 present that evening on October 9th of 2010?

10 MS. BERINDOAGUE: Yes, he was.

11 MR. KLINE: Okay. As far as you
12 know, what he stated in this report is true
13 and accurate?

14 MS. BERINDOAGUE: Yes, it is
15 accurate.

16 MR. KLINE: All right. Thank you.

17 I don't have any further questions
18 of the witness.

19 CHAIRPERSON MILLER: I missed your
20 last -- I'm sorry. What was your last
21 statement about how do you know it's true?

22 MS. BERINDOAGUE: Oh, because --

1 how do I know?

2 CHAIRPERSON MILLER: I thought
3 maybe that was the question and I missed the
4 answer.

5 MR. KLINE: The question was as
6 far as you know the statement that's written
7 is true and accurate.

8 CHAIRPERSON MILLER: Okay. Same
9 thing.

10 What was your answer?

11 MS. BERINDOAGUE: I said yes as
12 far as I know since I wasn't there to testify.

13 CHAIRPERSON MILLER: Okay. Thank
14 you.

15 You're finished?

16 MR. KLINE: I'm done.

17 CHAIRPERSON MILLER: I'm sorry.
18 Okay.

19 Cross.

20 MR. RIVERO: Thank you.

21 MR. KLINE: I'm trying to get out
22 of here.

1 CHAIRPERSON MILLER: Really? Why?

2 MR. RIVERO: So am I but I have
3 questions.

4 CHAIRPERSON MILLER: Okay.

5 MR. RIVERO: Ms. Berindoague.

6 MS. BERINDOAGUE: Yes.

7 MR. RIVERO: Who is Nelson Peraza
8 again?

9 MS. BERINDOAGUE: He is a security
10 member. One of the security members working
11 that night.

12 MR. RIVERO: What was his job as a
13 security member that night? What was his
14 specific job?

15 MS. BERINDOAGUE: That specific
16 night I don't know what position he was at.

17 MR. RIVERO: Why not?

18 MS. BERINDOAGUE: Depending on --

19 MR. RIVERO: Why don't you know?

20 MR. KLINE: Objection. He's
21 badgering the witness.

22 MR. RIVERO: I'm not badgering the

1 witness.

2 MS. BERINDOAGUE: Because they are
3 assigned differently. There is one person at
4 -- two persons at the door. There is another
5 person inside.

6 MR. RIVERO: I'm just asking the
7 question you don't know what his specific job
8 was that night. Is that correct? You don't
9 know what his specific position was that
10 night?

11 MS. BERINDOAGUE: I don't know his
12 specific position.

13 MR. RIVERO: Were you there that
14 night?

15 MS. BERINDOAGUE: No, I wasn't.

16 MR. RIVERO: Where were you?

17 MS. BERINDOAGUE: I was home.

18 MR. RIVERO: Okay. Did you hire
19 Nelson Peraza?

20 MS. BERINDOAGUE: Probably -- I'm
21 not the person who does hiring. Probably
22 Jackie hired him but I know he was working

1 then.

2 MR. RIVERO: Who is Jackie?

3 MS. BERINDOAGUE: The other
4 manager.

5 MR. RIVERO: Okay. How long is --
6 is Nelson Peraza still your employee?

7 MS. BERINDOAGUE: No. After the
8 closing that happened in April he found
9 another job and he didn't come back to work
10 but he did work until that time.

11 MR. RIVERO: Do you know why
12 Nelson Peraza is not here today?

13 MS. BERINDOAGUE: I wasn't asked
14 to bring him. I don't know if I can find him
15 right now since he doesn't work for us but I
16 could try.

17 MR. RIVERO: So you have
18 personally spoken with and you know and worked
19 with Nelson Peraza?

20 MS. BERINDOAGUE: Oh, yes. I know
21 him. He's worked for at least two years with
22 us.

1 MR. RIVERO: And have you observed
2 his signature?

3 MS. BERINDOAGUE: Well, it seems
4 like a P at the end like for his last name
5 Peraza but I can't say because I honestly
6 didn't --

7 MR. RIVERO: Have you ever seen
8 his signature?

9 MR. KLINE: Objection as to
10 relevance.

11 MS. BERINDOAGUE: I haven't.

12 MR. RIVERO: It's entirely
13 relevant. I'm trying to establish whether
14 this is a credible document for the Board.

15 MR. KLINE: It's already in. It's
16 admitted.

17 MR. RIVERO: It is admitted but
18 the Board can give this the weight that it
19 deserves.

20 CHAIRPERSON MILLER: Are you
21 questioning that Mr. Peraza is the signatory
22 to this --

1 MR. RIVERO: Correct. I wanted to
2 make sure that she is comfortable that this
3 is, in fact, this person's signature. It's a
4 two-page document and only one of which is
5 dated.

6 MS. BERINDOAGUE: I'm comfortable
7 that this is accurate and I'm comfortable to
8 say that he wrote this paper. I haven't seen
9 his signature.

10 MEMBER SILVERSTEIN: Excuse me.
11 Are you rubbing paper against the microphone?

12 MS. BERINDOAGUE: Oh, I apologize.
13 I am comfortable to say that this incident
14 report was written by Nelson Peraza. There is
15 no reason why anybody would write other than
16 him.

17 If somebody else would write, they
18 would have to put their name so if he puts his
19 name, he wrote this paper. I haven't seen his
20 signature. I didn't have a reason ever to
21 have him sign anything but I am confident to
22 say he wrote it.

1 When there is an incident the
2 person -- we are talking about 2010. In 2010
3 a person who had an employee that had an
4 involvement in security, in any situation they
5 are suppose to write an incident. If he wrote
6 it, it's because he was involved in some way.

7 If somebody else would have --
8 other security would have been involved in
9 some way, they would have done it, too, but
10 this is something that he wrote and that is
11 why I am confident to say that he did.

12 MR. RIVERO: Okay. Was this
13 document given to Investigator Lawson?

14 MS. BERINDOAGUE: I don't know if
15 he got it or not.

16 MR. RIVERO: Okay. This document
17 would have been given to whom? Once Nelson
18 Peraza completed it, to whom did he give this
19 document?

20 MS. BERINDOAGUE: It's states in
21 the book unless someone request a copy.

22 MR. RIVERO: Okay. Who is in

1 charge of giving it to the requestor from the
2 book?

3 MS. BERINDOAGUE: The manager who
4 is on duty when he comes to request the
5 incident.

6 MR. RIVERO: Did you discuss with
7 Stacie Courbois whether she gave this document
8 to Investigator Lawson?

9 MS. BERINDOAGUE: No, I haven't.

10 MR. RIVERO: Did you discuss with
11 Stacie Courbois whether she gave any document
12 to Investigator Lawson?

13 MS. BERINDOAGUE: I don't recall
14 if I would have discussed that specifically.

15 MR. RIVERO: Did Stacie Courbois
16 tell you, "I gave etc. documents to ABRA?"

17 MS. BERINDOAGUE: Specifically in
18 those words, no, but I'm sure that she told me
19 they came and I gave them reports. I don't
20 think she specifically told me, "I gave them
21 this, this, this, or that." I don't know
22 specifically what did they get and what they

1 didn't.

2 MR. RIVERO: Did you speak to
3 Nelson Peraza about this report?

4 MS. BERINDOAGUE: I didn't ask him
5 questions. I didn't say, "Oh, did you write
6 this or what happened?" specifically about
7 this report.

8 MR. RIVERO: What was your
9 conversation -- oh, about this report no?

10 MS. BERINDOAGUE: No.

11 MR. RIVERO: What was your
12 conversation with Nelson Peraza about this
13 incident? Not about this report but about the
14 incident?

15 MS. BERINDOAGUE: Just -- nothing
16 with specifics. They just talk -- I don't
17 know if I'm going to go extensively about what
18 happened that night but am I allowed?

19 MR. RIVERO: You are allowed to
20 answer the question. The question is what
21 conversation did you have with Nelson Peraza
22 about the incident? That's the question.

1 MS. BERINDOAGUE: Like I said, we
2 talked about the incident. He told me overall
3 what happened. Specifically like about these
4 specific words, you know, Jackie told he
5 called and Stacie asked him to call 911. We
6 talk about a lot of things about that night.
7 You know what I'm trying to say? I don't know
8 if you want me to say it.

9 MR. RIVERO: That's okay.

10 MS. BERINDOAGUE: I'm just trying
11 to be --

12 MR. RIVERO: That's okay. I
13 appreciate that.

14 No further questions.

15 CHAIRPERSON MILLER: Okay. I just
16 want to follow up and ask you in this report
17 there is a record of calling 911. Did you
18 have a conversation with any of your employees
19 about anyone calling 911?

20 MS. BERINDOAGUE: Nobody else, no.

21 CHAIRPERSON MILLER: Nobody else
22 other than Stacie and who?

1 MS. BERINDOAGUE: Did I ask them
2 if they called 911? All the other employees
3 are inside of the premises. They had no clue
4 what was going on outside. They didn't know
5 what happened outside. They were inside.
6 There is no possible way that they would have
7 called.

8 CHAIRPERSON MILLER: There is a
9 statement in Mr. Peraza's page 2 here that
10 says, "I called 911." Did you talk to him
11 about that at all?

12 MS. BERINDOAGUE: Like I said, he
13 mentioned it but we didn't specifically talk
14 about it. I didn't get the paper and ask him.
15 Overall we talk about the incident.

16 CHAIRPERSON MILLER: Did you talk
17 about calling 911?

18 MS. BERINDOAGUE: Yes.

19 CHAIRPERSON MILLER: What did he
20 say?

21 MS. BERINDOAGUE: He said, "I
22 called 911 and Stacie brought water," among

1 all the other things that he said.

2 CHAIRPERSON MILLER: That's it?

3 MS. BERINDOAGUE: Yes.

4 CHAIRPERSON MILLER: "I called 911
5 and they came."

6 MS. BERINDOAGUE: Yes.

7 CHAIRPERSON MILLER: Did he give
8 you more details about the police coming or
9 anything in response when he called 911?

10 MS. BERINDOAGUE: He didn't give
11 me details how soon they came. He just told
12 me, "I called 911."

13 CHAIRPERSON MILLER: Okay.

14 Any other questions?

15 Mr. Jones.

16 MEMBER JONES: Thank you, Madam
17 Chair.

18 In your conversations with him did
19 he at all indicate any attempts that he made
20 to ascertain how this individual became to be
21 prone on the sidewalk out in front of your
22 establishment?

1 MS. BERINDOAGUE: He didn't -- no,
2 he didn't talk to me about that.

3 MEMBER JONES: That didn't come up
4 at all?

5 MS. BERINDOAGUE: No.

6 MEMBER JONES: Okay. You were
7 asked what the individual's specific duties
8 were that night and I didn't get a clear
9 understanding of your understanding of his
10 duties that night. Can you try again?

11 MS. BERINDOAGUE: Yes. They are
12 inside usually to be attentive to customers.

13 MEMBER JONES: This individual. I
14 want to know what his specific duties were.

15 MS. BERINDOAGUE: Because I wasn't
16 sure -- I apologize. I'm not sure if he was
17 working the door or he was inside so I don't
18 know his duties so I can't say what are the
19 duties.

20 MEMBER JONES: Okay. So you seem
21 to imply that you were fairly confident that
22 this report was legitimately authored by Mr.

1 Peraza --

2 MS. BERINDOAGUE: Yes.

3 MEMBER JONES: -- because none of
4 the other employees were outside and,
5 therefore, they wouldn't have had a reason to
6 be involved in this and, therefore, they
7 wouldn't have had a reason to author this
8 document so it must have been him.

9 MS. BERINDOAGUE: No, that's not
10 it. The reason is because he is the one who
11 called 911.

12 MEMBER JONES: How do you know
13 that?

14 MS. BERINDOAGUE: Because my
15 manager asked him to make sure -- he knows he
16 has to call 911 and he is the person who
17 happen to do it.

18 MEMBER JONES: Are you responsible
19 under your security plan to have someone
20 stationed at your door?

21 MS. BERINDOAGUE: Right.

22 MEMBER JONES: You are?

1 MS. BERINDOAGUE: Yes.

2 MEMBER JONES: So if there was
3 somebody laying prone on the sidewalk in front
4 of your establishment, the first person that
5 should have come into contact with that
6 individual that is an employee of your
7 establishment would most likely be the
8 employee that is stationed at the door.

9 MS. BERINDOAGUE: Yes, probably.
10 Like I said, he asked me what the duties are.
11 It's according to where that person is. But
12 because I am under oath, I don't want to say
13 something that I'm not sure. Probably he was
14 working at the door.

15 You know what I'm trying to say?
16 If you ask me what are his duties, if he was
17 at the door, these are his duties. If he's
18 inside, these are his duties. He probably was
19 at the door and that is why he called 911.

20 MEMBER JONES: Is he a security
21 person?

22 MS. BERINDOAGUE: Yes.

1 MEMBER JONES: He is?

2 MS. BERINDOAGUE: Yes.

3 MEMBER JONES: Okay. Can you tell
4 me what his -- did you talk to him that night?

5 MS. BERINDOAGUE: No, I wasn't in
6 the establishment that night.

7 MEMBER JONES: Correct. When did
8 you talk to him? How soon after October 9th
9 did you speak with this individual?

10 MS. BERINDOAGUE: I don't recall
11 but it wasn't that night. Maybe a day or two
12 later.

13 MEMBER JONES: Maybe a day or two
14 later?

15 MS. BERINDOAGUE: Yeah, because
16 security they have different shifts, you know.
17 They don't work the same people every day.
18 They work different nights.

19 MEMBER JONES: Understood. When
20 were you notified of the incident?

21 MS. BERINDOAGUE: Oh, the next
22 day.

1 MEMBER JONES: So you got a phone
2 call the next day.

3 MS. BERINDOAGUE: Yes.

4 MEMBER JONES: The next day being
5 October 10th?

6 MS. BERINDOAGUE: Yes, the next
7 day.

8 MEMBER JONES: And you got a phone
9 call from whom?

10 MS. BERINDOAGUE: From stacie
11 Courbois.

12 MEMBER JONES: From Stacie?

13 MS. BERINDOAGUE: Yes.

14 MEMBER JONES: Courbois? Okay.
15 And she indicated to you that there was an
16 incident?

17 MS. BERINDOAGUE: Yes.

18 MEMBER JONES: Did she indicate to
19 you that there was an assault that occurred
20 out in front of the establishment?

21 MS. BERINDOAGUE: No, she didn't
22 say it was an assault.

1 MEMBER JONES: What did she
2 indicate was -- what did she indicate to you
3 occurred?

4 MS. BERINDOAGUE: There was a
5 person that fell in the street. Do I have to
6 go over the minutes?

7 MR. KLINE: You're okay.

8 MS. BERINDOAGUE: Sorry. This is
9 a long story.

10 CHAIRPERSON MILLER: I don't think
11 you have to go over a long story.

12 Mr. Jones, are you interested in
13 the long story?

14 MEMBER JONES: Not at all.

15 CHAIRPERSON MILLER: No. Just
16 briefly kind of answer.

17 MS. BERINDOAGUE: Well, the
18 incident --

19 MEMBER JONES: Let me ask you
20 differently. Did she indicate to you that an
21 ambulance was called to your establishment?

22 MS. BERINDOAGUE: Yes. She told

1 me --

2 MEMBER JONES: Did she indicate to
3 you that an individual was injured or appeared
4 to be in need of medical attention at the
5 establishment?

6 MS. BERINDOAGUE: Yes. Then an
7 ambulance was called and the gentleman refused
8 to get in the ambulance.

9 MEMBER JONES: Okay. Did she
10 indicate --

11 MS. BERINDOAGUE: She approached
12 the medics.

13 MEMBER JONES: Did she indicate to
14 you that Mr. Peraza, specifically Mr. Peraza,
15 called 911?

16 MS. BERINDOAGUE: Yes.

17 MEMBER JONES: She did?

18 MS. BERINDOAGUE: Yes.

19 MEMBER JONES: Okay.

20 Thank you, Madam Chair.

21 CHAIRPERSON MILLER: Okay. Any
22 other questions?

1 Ms. Mobley.

2 MEMBER MOBLEY: Thank you, Madam
3 Chair. I just want to clear this up just
4 following up on Board Member Jones' question.

5 We have testimony from Stacie
6 Courbois.

7 CHAIRPERSON MILLER: We don't have
8 testimony.

9 MEMBER MOBLEY: Not testimony. We
10 have an exhibit --

11 CHAIRPERSON MILLER: Yes. Okay.

12 MEMBER MOBLEY: -- that states
13 that there were three -- am I going in the
14 right direction with this question?

15 CHAIRPERSON MILLER: I'm not sure.
16 There's an echo. If people could turn off
17 their mics when they are not using them.

18 MEMBER MOBLEY: It said there were
19 three gentlemen by his side and one was on the
20 phone with the paramedics. I'm just curious
21 as to the discrepancy.

22 CHAIRPERSON MILLER: Okay.

1 MEMBER MOBLEY: I'm hearing that
2 Mr. Peraza was asked to call.

3 CHAIRPERSON MILLER: She didn't
4 hear that. You're going to have to repeat it.

5 MEMBER MOBLEY: Okay. Is the
6 question appropriate?

7 CHAIRPERSON MILLER: I'm not sure
8 what you're getting at. So if you need it,
9 you can ask it.

10 MEMBER MOBLEY: Okay. I'm looking
11 at the report from Mr. Peraza. It is stating
12 that he knew he called 911.

13 MS. BERINDOAGUE: Yes.

14 MEMBER MOBLEY: But then I'm
15 looking at this Exhibit 5 that says there were
16 three gentlemen by his side and that one of
17 them was on the phone calling the paramedics.
18 Then shortly thereafter the ambulance arrived.
19 I guess my question is if, in fact, Mr. Peraza
20 did he really, in fact, make that call to 911.

21 MS. BERINDOAGUE: She didn't tell
22 me how many called but it's possible. In

1 circumstances like that a lot of people call
2 the police. I have called the police several
3 times for other establishments when I see
4 anything going on in the street.

5 MEMBER MOBLEY: Mr. Peraza here in
6 this exhibit it's being stated that he asked
7 the gentleman a couple questions, "What's your
8 name? Where are you from? Where do you live?
9 Where are your friends?" This other exhibit,
10 according to the ABC manager, indicated that
11 there were already three gentlemen by his side
12 so my --

13 CHAIRPERSON MILLER: What exhibit
14 are you referring to?

15 MEMBER MOBLEY: Exhibit 5.

16 CHAIRPERSON MILLER: Exhibit 5.
17 That is by Stacie Courbois?

18 MEMBER MOBLEY: Yes.

19 CHAIRPERSON MILLER: And what's
20 your question?

21 MEMBER MOBLEY: Well, I'm just
22 trying to figure out the discrepancy. Mr.

1 Peraza in this document never mentioned that
2 there was anyone by his side. It sounds like
3 he observed an older man inside the Cafe. He
4 said inside laying on the ground. Then he
5 says in front of the business on the sidewalk
6 and that he was asking questions of this
7 individual.

8 My question is if the ABC manager
9 said there was three other gentlemen by his
10 side, if the victim couldn't answer the
11 question, why wasn't he in turn asking
12 questions of the persons who were there
13 helping this gentleman? I'm just trying to
14 figure it out.

15 CHAIRPERSON MILLER: Did you also
16 talk to Stacie Courbois about the incident?

17 MS. BERINDOAGUE: Yes. She told
18 me about it.

19 CHAIRPERSON MILLER: And did you
20 read her statement which is marked Exhibit 5?
21 That's what Ms. Mobley keeps referring to.

22 MS. BERINDOAGUE: Do refresh could

1 I --

2 CHAIRPERSON MILLER: Do you want
3 to refresh your --

4 I think it's hard for her to
5 answer without looking at this maybe.

6 MEMBER MOBLEY: It just stands to
7 reason that if he had the victim laying on the
8 ground up against a tree, and if Mr. Peraza is
9 asking questions, it doesn't collaborate with
10 what Stacie, the ABC manager, stated because
11 she said there were three gentleman by his
12 side, of which one did leave a little bit
13 later on and that person was the one that had
14 made the phone call.

15 MS. BERINDOAGUE: To me it just
16 says -- she is just describing what she has
17 seen. Again, I wasn't there but obviously
18 there were a lot -- several people in the
19 street.

20 There just happened to be three of
21 them. Maybe she assumed they were his
22 friends. That's why she described them. I

1 can't speak for her but that's what I think I
2 understand she would have tried to say.

3 CHAIRPERSON MILLER: Okay. Any
4 other questions?

5 MEMBER MOBLEY: Thank you, Madam
6 Chair.

7 CHAIRPERSON MILLER: Mr. Jones.

8 MEMBER JONES: Thank you, Madam
9 Chair.

10 Have you read Exhibit 5? Have you
11 read this statement from Stacie Courbois who
12 is your manager?

13 MS. BERINDOAGUE: Yes. Awhile ago
14 yes, I did read it.

15 MEMBER JONES: To your
16 recollection does this state anywhere in
17 Exhibit 5 that she instructed Mr. Peraza to
18 call 911? To your recollection.

19 MS. BERINDOAGUE: To my
20 recollection I'm reading it now but I don't
21 know if she specifically wrote absolutely
22 everything that went that night. It was quite

1 hectic for her. She was pretty sick the whole
2 night after that.

3 MEMBER JONES: So in your response
4 to my question when I asked you specifically
5 what did she communicate to you, you indicated
6 that she told you that she instructed Mr.
7 Peraza, or instructed someone, to call 911.

8 MS. BERINDOAGUE: That is what
9 Peraza said.

10 MEMBER JONES: No. I believe I
11 asked you a question, if you had spoken to
12 someone about the incident. You said yes. I
13 asked you to whom and you said Stacie. You
14 indicated Stacie had specifically told you
15 that she made sure someone called 911.

16 MS. BERINDOAGUE: She always does
17 make sure if there is an issue because it's
18 necessary.

19 MEMBER JONES: Did she tell you
20 that she called or had someone call 911?
21 That's what I got from your previous
22 statement.

1 MS. BERINDOAGUE: I think what she
2 said is, "Nelson called the police." I don't
3 think she said, "Oh, Nelson. Go ahead and call
4 the police." I think she said to me, "Nelson
5 called the police." She let me know what
6 happened.

7 MEMBER JONES: Okay. I'm having a
8 problem correlating the two different
9 statements in the sense of the exhibit that
10 she apparently allegedly wrote was dated
11 October 9, 2010, so it should have been very
12 fresh in her recollection at that point in
13 time. Nowhere in here do I read -- I could be
14 wrong, but nowhere in here do I read that she
15 either directly or indirectly accounted for
16 the calling of 911 but I can be corrected on
17 that.

18 MS. BERINDOAGUE: Yeah, uh --

19 MEMBER JONES: She doesn't appear
20 to come forth with your statement that he
21 spoke with you on the phone the next day.

22 MS. BERINDOAGUE: Well, what

1 happened is that night, like I said, she was
2 crying, she was vomiting. She was really sick
3 and stressed of what had happened. She could
4 have forgotten something. I don't know. She
5 probably tried to do the best she can with the
6 statement.

7 MEMBER JONES: Then also as part
8 of the Investigative Report, I believe, that
9 was submitted and agreed to, it was in Exhibit
10 3. Exhibit 3 had several incident reports
11 which appear to be similar to the incident
12 report that you were just referring to from
13 Mr. Peraza.

14 Exhibit 3 included incident
15 reports from various individuals but none of
16 them match the incident report to which you
17 are referring to from Mr. Peraza unless I just
18 can't read it.

19 So there is a Mr. Corillio, Mr.
20 Corill. Maybe they are both the same
21 individual. There is one unnamed incident
22 report. I'm just a little befuddled as to why

1 this incident report from Mr. Peraza didn't
2 make it into the Exhibit 3 collection.

3 Maybe you have no insight into
4 that but did you receive this incident report,
5 this being the one from Mr. Peraza, at the
6 same time as you received all the other
7 incident reports or is there a different
8 mechanism or process by which Mr. Peraza does
9 his incident reports that is different from
10 everybody else's?

11 MS. BERINDOAGUE: Honestly, I
12 can't respond to that. What happened I don't
13 know. I know that they were written at night
14 but why I don't know.

15 MEMBER JONES: Should they all
16 have been written at the same time within a
17 certain period of time? For example --

18 MS. BERINDOAGUE: Yeah, sometimes
19 -- I'm sorry. I know that sometimes it has
20 happened that precise night they might have
21 not write it and then they are requested again
22 by the manager, "You didn't write your report.

1 You have to write your report."

2 They will come the next day to
3 write a report. It has happened. I don't
4 know that is the case in these reports but it
5 has happened times that they forget or they
6 don't always.

7 MEMBER JONES: Okay. Thank you.

8 Thank you, Madam Chair.

9 CHAIRPERSON MILLER: Any other
10 Board questions?

11 MEMBER ALBERTI: Ms. Berindoague,
12 did you talk to your staff about incidents
13 earlier in the evening?

14 MS. BERINDOAGUE: I apologize. I
15 didn't hear you.

16 MEMBER ALBERTI: Did you talk to
17 your staff about incidents earlier in the
18 evening?

19 MS. BERINDOAGUE: I'm sorry.
20 Earlier?

21 MR. KLINE: Objection. Assumes
22 facts not in evidence about an incident

1 earlier in the evening.

2 MEMBER ALBERTI: Yes, there is.

3 Yes, there is.

4 CHAIRPERSON MILLER: Ms. Williams.

5 MEMBER ALBERTI: Mr. Rivero

6 actually asked, I think, Deputy Williams about

7 that and it's in our Investigative Report. We

8 have an incident report. I can't find the

9 incident report but --

10 CHAIRPERSON MILLER: Ms. Williams

11 did testify about being told about --

12 MEMBER ALBERTI: I'm not sure I

13 have the full incident report. I've been

14 looking for it and I can't find it but it's

15 summarized in the Investigative Report.

16 CHAIRPERSON MILLER: Okay. What's

17 the question?

18 MEMBER ALBERTI: So the question

19 is did you talk to your staff about reports

20 earlier in the evening?

21 MS. BERINDOAGUE: Like I said,

22 they told me everything. Yeah, everything

1 that happened they tell me, yes.

2 MEMBER ALBERTI: Okay. What did
3 they tell you about the incident earlier in
4 the evening?

5 MS. BERINDOAGUE: They told me
6 that there was a customer who had approached
7 the bar and asked for a drink. The customer
8 looked already intoxicated and that the
9 bartender refused to serve him and instead
10 gave him a glass of water. He just threw the
11 glass of water and got upset. Then she called
12 security and they escort him out.

13 MEMBER ALBERTI: Did they tell you
14 what time it was?

15 MS. BERINDOAGUE: I didn't ask the
16 time. At the time I didn't say what time it
17 was. They just told me about what had
18 happened.

19 MEMBER ALBERTI: Is the time in
20 the incident report? You don't know? Did you
21 read the incident report?

22 MS. BERINDOAGUE: Probably I did

1 at that time. We were not prepared to have
2 all these testimonies today so I didn't take
3 a look at this.

4 MEMBER ALBERTI: Did they tell you
5 whether or not they knew the individual?

6 MS. BERINDOAGUE: Excuse me? I'm
7 sorry.

8 MEMBER ALBERTI: Did they tell you
9 whether or not they knew the individual?

10 MS. BERINDOAGUE: No. They didn't
11 know the individual, no.

12 MEMBER ALBERTI: Thank you very
13 much.

14 CHAIRPERSON MILLER: Okay. I
15 think that concludes Board questions. Are you
16 reading for closing? Are you ready for
17 redirect?

18 MR. KLINE: A little bit of
19 redirect.

20 CHAIRPERSON MILLER: Redirect.
21 Okay. Go ahead.

22 MR. KLINE: Ms. Berindoague, the

1 incident reports are kept as a matter of
2 course in the operation of your business. Is
3 that correct?

4 MS. BERINDOAGUE: Yes.

5 MR. KLINE: Where are they kept?

6 MS. BERINDOAGUE: There is a book
7 in the front, like a ring book in the front
8 where we keep all the incident reports.

9 MR. KLINE: All right. You've
10 seen the incident reports that are attached to
11 the investigator's report. Correct?

12 MS. BERINDOAGUE: Yes.

13 MR. KLINE: And the one that was
14 submitted today as an exhibit. Correct?

15 MS. BERINDOAGUE: I understand
16 that, yes.

17 MR. KLINE: Are all of those kept
18 in that book?

19 MS. BERINDOAGUE: Yes.

20 MR. KLINE: Is that where you
21 found them? Is that where you retrieved them
22 from?

1 MS. BERINDOAGUE: Well, they were
2 given to me all together. I didn't go look
3 for them.

4 MR. KLINE: Okay. Fair enough.
5 That's all I have. Thank you.

6 MR. RIVERO: Ms. Berindoague, I
7 want to go ahead and show you the document
8 that was admitted by your attorney which is a
9 statement, the handwritten statement by Nelson
10 Peraza. If you look at it, it doesn't say
11 what time he called the police. Is that
12 right?

13 CHAIRPERSON MILLER: The documents
14 speak for themselves. I'm not sure. Are you
15 going somewhere with this?

16 MR. RIVERO: Yes, I am.

17 CHAIRPERSON MILLER: Okay.

18 MR. RIVERO: Did he tell you what
19 time he called the police?

20 MS. BERINDOAGUE: No, I didn't ask
21 him what time. When he called the police I
22 thought, you know --

1 MR. RIVERO: So you don't know
2 what time he called the police?

3 MS. BERINDOAGUE: No.

4 MR. RIVERO: What does Nelson
5 Peraza look like? Does he have hair on his
6 head?

7 MS. BERINDOAGUE: Yes.

8 MR. RIVERO: Thank you.

9 No further questions.

10 CHAIRPERSON MILLER: Thank you
11 very much.

12 Now are we ready for closing? I
13 think you'll be able to do it within five
14 minutes each of you.

15 MR. RIVERO: I'm going to try to
16 do it within three minutes.

17 CHAIRPERSON MILLER: Okay.

18 MR. RIVERO: Board Members, we are
19 here today because I've got to prove to you
20 that what I say happened happened. There is
21 a very specific reason why I am very specific
22 in what I say happened.

1 I said the establishment did not
2 call the police for this incident. You've got
3 a lot of facts and testimony about a whole lot
4 of other stuff. Happily I'm here to tell you
5 you don't have to pay much attention to any of
6 that. Okay?

7 We'll start with what appears to
8 be the smoking gun, the most damning piece of
9 evidence that will prove to you that I failed
10 to do my job. This is a statement by Nelson
11 Peraza that says, "I called 911." Then what
12 am I doing here? Leave aside the fact that
13 I've just seen this, first of all.

14 We don't know when he called the
15 police but we do know when the police was
16 called because that is Exhibit 8 in Tyrone
17 Lawson's report. The police itself said, "We
18 got a call at 5:04 a.m." This incident did
19 not occur at 5:04 a.m.

20 Let's assume and give the benefit
21 of the doubt he did call. It's more likely
22 than not that he may have called at 5:04 a.m.

1 because we have an actual record that someone
2 called. Okay?

3 I submit to you, however, that
4 5:04 a.m. is not the same thing as calling
5 about this incident because they might as well
6 have called the following year. We have to
7 have a reasonable reading about what I'm
8 trying to prove to you all.

9 But we do have uncontroverted
10 evidence about who called the police and that
11 was the fire department. Right? They called
12 and said, "Hey, we need some help. We've got
13 a belligerent person here." Officer Williams
14 showed up and the rest is history. She got to
15 the bottom of an actual witness who said,
16 "Yes, I called the police. I saw this person
17 pushed."

18 Now, the person was either pushed
19 or, according to Rodrigo Reyes' statement,
20 also in evidence, and admission by licensee,
21 he walked into the guy's hand, lost balance,
22 and fell down. We can argue all day long

1 about whether that's an assault.

2 We can argue all day long whether
3 the professional opinion of Officer Williams
4 concludes that this was a crime or not a
5 crime. That's not what I'm suppose to prove
6 to you all.

7 Did the establishment call the
8 police within a meaningful sense of what I'm
9 saying call the police. There is zero
10 evidence to prove that. The closest we have
11 is 5:00 in the morning. Okay?

12 Now, we do have a lot of
13 statements about he said, she said they didn't
14 like each other. All that goes to credibility
15 and the most you have about this, because
16 Investigator Stewart is not a psychologist and
17 he is not qualified to say there was tension
18 and these people didn't like each other.

19 There was a lack of communication.
20 It may have been the case. It is entirely
21 beside the point. You don't have anybody here
22 from the establishment that meaningful called

1 the police when this incident happened.

2 That's all that this is about.

3 Now, yes, I want to give the
4 licensee the benefit of the doubt. A long
5 time has happened. Let's say that everything
6 they say is true. It still doesn't obviate or
7 contradict the evidence I put before you that
8 someone called.

9 We can actually mesh all this
10 together and discount a lot of he said she
11 said. That's what this case is about. Luckily
12 we will never get to the truth of what
13 actually happened.

14 I'm not here to prove the truth
15 which is why we have this thing called
16 preponderance of the evidence; is it more
17 likely than not that the establishment did, in
18 fact, call when they were suppose to call.
19 The closest we can get to by statements that
20 are contemporaneous and not dependent on
21 people's memory is 5:04 a.m. Thank you very
22 much.

1 CHAIRPERSON MILLER: Thank you.

2 MR. KLINE: Thank you. There is
3 something missing from the Government's
4 argument and it's really the last thing that
5 was said which is when they are suppose to
6 call.

7 This case is about violation of
8 the security plan. Now, we all agree, and we
9 all know, that the preferred practice and we
10 recommend that licensees call the police when
11 a crime has been committed and when there is
12 an act of violence and so on and so forth, but
13 live or die by our security plan.

14 This is an attempt to hang this
15 licensee with their security plan. That's
16 what all the cases about security plans are
17 about. I'm not criticizing it. I'm merely
18 stating it as a fact. That's our starting
19 point. We have to look at the security plan.

20 The security plan says, "Licensee
21 will familiarize all security staff with
22 provisions of the Unruly Patrons Ordinance,"

1 whatever that is. "When a patron acts in a
2 manner that is violent, abusive, indecent,
3 profane, boisterous, or otherwise disorderly,
4 licensee will immediately contact the police
5 and request that the police invoke the
6 provisions of this ordinance."

7 Now, I don't know what that means.
8 Officer Williams clearly didn't know what it
9 meant. But when Officer Williams was asked
10 whether there was any patron that acted in a
11 manner that was violent, she said no.
12 Abusive, she said no. Indecent, she said no.
13 Profane, boisterous, or otherwise disorderly,
14 she said no.

15 Under that provision where does
16 the obligation to call the police arise?
17 Granted, we concede that is the better
18 practice and we believe that there's evidence
19 before you that they did, indeed, do what was
20 appropriate which was call 911 when they saw
21 someone injured.

22 In the first instance, the

1 obligation has to arise from the security plan
2 because the ABC statute and the ABC
3 regulations do not contain any provision that
4 says thou shall call the police under certain
5 circumstances.

6 The other provision that's in the
7 security plan which may be relevant, and both
8 of these are cited in the Investigative Report
9 so it's quite easy, "The police will be called
10 in a timely manner anytime management or staff
11 have information to believe a crime has been
12 or is about to be committed, or whenever a
13 threat or act of violence occurs on the
14 premises."

15 Now, I'm sure there are some of
16 you that will take at face value the third
17 party hearsay that we have -- maybe it's only
18 second party now -- from the witness that was
19 relayed by the witness to Officer Williams who
20 then told you what was said.

21 We all know who have been here
22 before and who have been in administrative

1 hearings that the rules concerning hearsay
2 evidence are pretty lax. However, they are
3 not non-existent. There are rules and the
4 rules are as follows.

5 If the Board is going to rely on
6 hearsay evidence, then the hearsay has to meet
7 a reliability standard. The reliability
8 standard as set forth in Gropp v. District of
9 Columbia Board of Dentistry at 606 Atlantic
10 2nd, 1010, footnote 10, is as follows:

11 (1) Whether the declarant is
12 biased; (2) whether the testimony is
13 corroborated; (3) whether the hearsay
14 statement is contradicted by direct testimony;
15 (4) whether the declarant is available to
16 testify and be cross-examined; and (5) whether
17 the hearsay statements were signed or sworn.

18 Under that test maybe the
19 Government meets one of them but we don't know
20 whether the declarant was biased because we
21 don't know who they are. We don't know what
22 their motivation was.

1 We don't know why it is they
2 called the police. We don't know whether it
3 was the guy's buddy or they had an ax to
4 grind. We don't know. We don't have any
5 information whatsoever as to who the declarant
6 is other than his name.

7 Second, whether it's corroborated.
8 It's not. The only statement Mr. Peraza
9 allegedly told the police officer that there
10 was an assault perpetrated by a security
11 person affiliated with Cafe Citron. That's
12 it.

13 No. 3, whether it's contradicted
14 by direct testimony. It is not contradicted
15 by direct testimony but there is other hearsay
16 that certainly contradicts the notion that
17 there was an assault by a member of Cafe
18 Citron security.

19 Fourth, whether the declarant is
20 available to testify and be cross-examined.
21 We have the name of the declarant. The
22 officer indicated that she spoke to him on the

1 phone. The Government didn't produce him and
2 doesn't explain why they are not here.

3 No. 5, whether the hearsay
4 statements were signed or sworn. Clearly they
5 are not. They are oral statements.

6 Now, I understand the Board's
7 propensity to want to believe what police
8 officers say on the stand and what
9 investigators say on the stand and I respect
10 that. In this case it's not what the officer
11 says.

12 It's what a third party says who
13 is not here who we can't evaluate. We have no
14 opportunity to evaluate their credibility.
15 Under those circumstances we would submit that
16 it is not sufficient to sustain a finding that
17 there was violence on the premises of the
18 establishment such that there was
19 responsibility triggered under the security
20 plan to call the police.

21 Even if the Board finds otherwise
22 that the hearsay testimony is reliable and

1 should be relied upon, the evidence from the
2 licensee's side is that when this situation
3 was identified, 911 was called. 911 says,
4 "Police, emergency, fire."

5 Reading the literal security plan
6 to say, "Gee, when you called up you should
7 have specified police." It's not clear from
8 the witness statement from the establishment
9 what he specified. I think it's reasonable to
10 conclude that he saw people injured and said,
11 "We've got people injured laying the sidewalk.
12 Send the paramedics."

13 When the paramedics got there,
14 what's in the report is that the victim, or
15 the alleged victim, was belligerent. That's
16 why they called the police, not because of an
17 assault.

18 It's all woven together with
19 string and we would submit under the laws of
20 the District of Columbia governing hearsay and
21 given the fact that we are looking at
22 construing the security plan in such a way as

1 to find an obligation that does not arise
2 under the law, we would ask you to find for
3 the licensee. Thank you.

4 CHAIRPERSON MILLER: Thank you. I
5 think that concludes our hearing for today --
6 for tonight. I am going to read the
7 instructions for closed meeting and the order
8 that will be coming.

9 As Chairperson of the Alcoholic
10 Beverage Control Board for the District of
11 Columbia and in accordance with Section 405 of
12 the Open Meetings Amendment Act -- back up.

13 I forgot to ask you all if you
14 want to waive findings of fact and conclusions
15 of law or whether you want to file.

16 MR. KLINE: We'll waive if the
17 Government is waiving.

18 MR. RIVERO: In that case the
19 Government will waive.

20 CHAIRPERSON MILLER: Okay. So I
21 will start again unless there is anything else
22 I'm overlooking. Okay.

1 As Chairperson of the Alcoholic
2 Beverage Control Board for the District of
3 Columbia and in accordance with Section 405 of
4 the Open Meetings Amendment Act of 2010, I
5 move that the ABC Board hold a closed meeting
6 for the purpose of (1) seeking legal advice
7 from our counsel in case #10-251-00245 and
8 #11-251-00146 per Section 405(b)(4) of the
9 Open Meetings Amendment Act of 2010.

10 And (2) deliberating upon case
11 #10-251-00245 and #11-251-00146 for the reason
12 cited in Section 405(b)(13) of the Open
13 Meetings Amendment Act of 2010. Is there a
14 second?

15 MEMBER NOPHLIN: Second.

16 CHAIRPERSON MILLER: I'll now take
17 a roll call vote on the motion before us now
18 that it's been seconded.

19 Mr. Nophlin.

20 MEMBER NOPHLIN: I agree.

21 CHAIRPERSON MILLER: Mr. Brooks.

22 MEMBER BROOKS: I agree.

1 CHAIRPERSON MILLER: Mr. Alberti.

2 MEMBER ALBERTI: I agree.

3 CHAIRPERSON MILLER: Ms. Miller, I
4 agree.

5 Mr. Silverstein.

6 MEMBER SILVERSTEIN: I agree.

7 CHAIRPERSON MILLER: Ms. Mobley.

8 MEMBER MOBLEY: I agree.

9 CHAIRPERSON MILLER: Mr. Jones.

10 MEMBER JONES: I agree.

11 CHAIRPERSON MILLER: Okay. The
12 vote is seven zero zero on the motion. As it
13 appears the motion as passed, I hereby give
14 notice that the ABC Board will hold a closed
15 meeting in the ABC Board conference room
16 today, tonight, whatever, pursuant to the Open
17 Meetings Amendment Act of 2010 and issue an
18 order within 90 days.

19 That does conclude our hearing.
20 Thank you very much.

21 (Whereupon, at 8:03 p.m. the
22 hearing was adjourned.)

| A | | | | |
|---|---|---|---|--|
| ABC 8:4 130:6 179:10 180:8 181:10 200:2,2 206:5 207:14,15 | adjourn 9:9 adjourned 207:22 adjudicated 5:18 6:5 Administration 13:2 administrative 128:18 200:22 admissibility 16:16 admissible 127:14 128:14,16 admission 17:10 195:20 admit 120:6 128:20 128:20 155:12 admitted 16:18 17:13,16 54:21 67:9 119:22 120:1 120:4,21 155:18 162:16,17 192:8 advice 8:6 130:8 206:6 advise 148:3 advised 20:5,16 24:4,11,20 72:22 93:16 137:3 affiliated 202:11 afternoon 3:8,10 3:12,16 11:2 15:13,14 45:16,18 agenda 8:8 130:11 aggressive 137:5 agitated 138:3 ago 7:1 14:5 182:13 agree 8:16,18,20,22 9:2,4,6 10:3,5,7,9 10:11,13,15 130:16,18,22 131:4,6 198:8 206:20,22 207:2,4 207:6,8,10 agreed 185:9 ahead 35:11 79:16 79:19 93:6 96:13 100:17 105:14,14 | 107:15 109:8 184:3 190:21 192:7 aid 22:12 Alberti 1:23 8:19 8:20 10:6,7 85:19 85:20,21 86:16 87:6,11 88:4,7,10 88:13 89:4,15,20 90:8,11 91:7,13 91:20 92:2,12,17 92:21 93:1 126:11 130:19,20 143:22 144:2,10,14 145:4 150:19 151:4 152:12 187:11,16 188:2,5,12,18 189:2,13,19 190:4 190:8,12 207:1,2 alcoholic 1:3,17,18 7:22 13:1 87:20 87:22 130:2 205:9 206:1 alleged 14:4 134:15 204:15 allegedly 46:4 70:6 70:8 184:10 202:9 allowed 1:13 11:7 81:22 166:18,19 alongside 22:11 altered 6:4 ambulance 20:11 20:16,21 21:5,11 22:13,14 23:3,6,7 23:10,12,17 24:6 24:9 26:14,21 34:11,18 35:1,9 35:14,19,22 36:6 37:16 50:20 51:1 51:6,8,10,15 52:5 53:20 54:2,5,7,13 54:16 62:13 84:11 86:7 87:7,8,10,14 87:15 88:8,15,20 89:1,2,5 93:15 104:13 175:21 176:7,8 178:18 | Amendment 8:3 130:5 205:12 206:4,9,13 207:17 amounted 141:20 ANC-2B 1:12 3:7 Andrew 3:9 and/or 95:3 angle 124:16 angry 140:6 answer 77:4 122:14 158:4,10 166:20 175:16 180:10 181:5 answered 61:15 147:2 answering 45:4 146:20 anybody 9:22 163:15 196:21 anytime 93:10 95:2 145:9 200:10 anyway 81:7 apart 144:11 APL 80:13 apologize 133:21 145:12 146:8 154:12 163:12 170:16 187:14 apparent 21:22 40:6 apparently 20:17 21:19 31:18 32:12 66:8,12 86:2 87:17 184:10 appeal 6:17 appear 117:12,15 127:19 184:19 185:11 appeared 21:6 139:22 176:3 appears 194:7 207:13 Applicant 2:2,4 applies 88:20 appreciate 9:15 167:13 approach 57:21 | 58:3 66:22 87:11 approached 57:2,4 57:8 99:14,15 137:16 176:11 189:6 appropriate 6:8 13:17 14:1 178:6 199:20 appropriately 127:10 approximate 100:12 approximately 18:15 142:3 150:20 April 4:1 7:2 11:10 11:14 12:15 13:14 161:8 arbitrate 6:16 area 137:6,13 144:22 150:13 arena 126:17 argue 127:5 195:22 196:2 argument 2:3,4 107:19 198:4 arguments 9:15 127:6 arrival 20:14 25:19 35:10 140:4 arrive 147:19 arrived 51:11,15 87:6 88:22 93:20 141:22 178:18 arriving 4:14 ascertain 169:20 aside 139:10 194:12 asked 27:11,13 28:3 34:21,22 36:4 45:8 47:20 48:16 53:2 59:6 60:3 61:5 73:19 74:2 90:17 92:6 93:15 100:8 102:9 102:10,20,20 103:17 104:1 |

| | | | | |
|--|---|--|--|---|
| 110:9,13,18,21 111:10,17 121:15 122:9 125:10 138:6 139:6 146:22 147:1 148:22 161:13 167:5 170:7 171:15 172:10 178:2 179:6 183:4 183:11,13 188:6 189:7 199:9 asking 7:13 67:15 67:17 68:5,9 77:1 89:15 126:4 147:19 160:6 180:6,11 181:9 aspect 106:8 assault 11:10,22 12:4 38:4,5 110:15 148:10,11 174:19,22 196:1 202:10,17 204:17 assaulted 11:18 22:6 77:18 78:16 assaulting 75:15 assessment 7:7 assigned 151:21 160:3 assignment 22:15 22:19 assist 20:3 23:17 24:5 54:1 137:6 138:18 assistance 23:3,8 23:11 assume 151:3 194:20 assumed 181:21 Assumes 187:21 Atlantic 201:9 attached 123:3 191:10 attachment 67:2,15 attachments 66:14 66:19 67:4 83:3 119:19 120:7 attempt 52:19 58:3 | 69:5 93:12 94:15 95:3 198:14 attempted 28:12 48:4 60:14 94:10 112:3 attempting 28:13 102:15 103:18 attempts 169:19 attention 55:1 134:14 176:4 194:5 attentive 170:12 attest 118:8 attire 117:16 attired 11:16 attorney 17:6 192:8 attorneys 80:10 authenticity 16:15 author 171:7 authored 170:22 authority 61:11,13 61:16 79:20 available 52:16 97:21 123:22 201:15 202:20 Avenue 1:10 3:6 18:6 20:4 24:5 aware 4:21 7:5 46:14,17 84:14 110:14 Awhile 182:13 ax 202:3 aye 133:1,2 a.m 18:16 150:21 194:18,19,22 195:4 197:21 | 113:18 114:4,11 114:14 116:15 117:2 131:9,14 161:9 205:12 bad 127:14 128:13 128:14,15 129:18 badge 58:6 109:17 badgering 159:21 159:22 balance 195:21 bald 21:14 25:21 26:8,11,11 74:7 115:17 117:11 bang 24:14 bar 25:18 28:6,7,9 28:22 30:11 32:12 61:8,16 81:1 88:18 94:13,15 100:5 104:18 105:1 107:14 112:7 114:15,18 117:2 189:7 bartender 25:7,12 25:14 26:6 27:11 27:11,12,13 28:15 29:15 30:3 32:9 33:1,6 60:14,17 60:18 61:3 79:5 95:8 96:8,10,11 99:13,14,17 102:21 103:6 106:16,20,22 107:5,13 108:14 110:2 113:6 189:9 bartenders 138:1,2 138:6 139:5 bartender's 28:19 28:20 based 12:7 14:14 19:6 32:4 52:3 60:10 62:20,20 68:4,16 70:10,14 71:1,11,11 72:3 89:14 92:1,6 117:12 121:14 basically 68:4 109:7 | basis 6:20 65:19,21 67:14 68:22 77:16 121:2 bear 106:1,5 bearing 67:20 beaten 76:7 befuddled 185:22 beg 65:2 72:8 began 20:15 28:15 32:9 33:21 34:10 111:7 beginning 113:12 113:13 behalf 3:9 9:16 behaving 53:11 belief 12:6 50:3 believe 4:16,18 6:7 16:20 18:10 27:21 33:20 39:2,22 50:6,10,12 63:16 63:19,21 64:5,10 64:20,21 68:20 81:18,21,22 92:8 100:13 107:11 108:4 109:1 126:12 128:2 129:17 134:11 136:2 139:17 140:20 146:15 148:3,5 149:13 183:10 185:8 199:18 200:11 203:7 believed 22:1 51:21 115:18 146:16 believes 65:22 125:3 belligerent 20:6 23:6 24:6 53:18 54:4,11 88:2,5 111:13 195:13 204:15 benefit 194:20 197:4 Berindoague 2:9 3:10,11 152:15,20 153:3,4,8,14,20 | 154:3,12,16,22 155:8,10 156:3,6 156:10,15,18,21 157:3,7,10,14,22 158:11 159:5,6,9 159:15,18 160:2 160:11,15,17,20 161:3,7,13,20 162:3,11 163:6,12 164:14,20 165:3,9 165:13,17 166:4 166:10,15 167:1 167:10,20 168:1 168:12,18,21 169:3,6,10 170:1 170:5,11,15 171:2 171:9,14,21 172:1 172:9,22 173:2,5 173:10,15,21 174:3,6,10,13,17 174:21 175:4,8,17 175:22 176:6,11 176:16,18 178:13 178:21 180:17,22 181:15 182:13,19 183:8,16 184:1,18 184:22 186:11,18 187:11,14,19 188:21 189:5,15 189:22 190:6,10 190:22 191:4,6,12 191:15,19 192:1,6 192:20 193:3,7 best 137:18 185:5 better 199:17 beverage 1:3,17,18 8:1 13:1 87:21,22 130:3 205:10 206:2 beyond 131:19 132:14 biased 50:7 201:12 201:20 big 128:3 bit 58:9 60:1,3 101:6 125:12 181:12 190:18 |
|--|---|--|--|---|

| | | | | |
|--|---|--|---|---|
| black 26:12 107:12 107:12 117:22 118:1 | 102:10 106:14 107:21 112:4,8 114:10,12 115:5 117:7 | 54:10 94:21 103:18 107:18 110:7 126:1 127:20 133:8 135:13 136:12,13 144:15,16 146:3,5 146:9,11,13 147:12,18 148:3 149:4 152:14 167:5 171:16 174:2,9 178:2,20 179:1 181:14 182:18 183:7,20 184:3 194:2,18,21 196:7,9 197:18,18 198:6,10 199:16 199:20 200:4 203:20 206:17 | calling 81:13 94:11 103:19,22 128:16 167:17,19 168:17 178:17 184:16 195:4 calls 135:12 141:14 144:4 150:10 calmed 138:8 CALVIN 1:22 cameras 143:13 capable 124:21 capacity 148:1 captured 131:20 car 101:19 109:16 cards 150:9 carried 11:16 carry 141:16 case 1:8 3:3,22 4:2 4:17,20,22 5:6 8:5 8:9,10 13:12 14:13,14 33:7,8 67:21 68:18 76:12 77:2 121:13,21 122:1 128:17 129:9,19 130:7,10 148:6 151:8,21 187:4 196:20 197:11 198:7 203:10 205:18 206:7,10 cases 3:22 198:16 cast 76:13 CAT 38:13 cause 1:10 3:16 11:4 77:16 caused 22:7 causing 24:13 cell 33:19 44:16 141:15 certain 28:7 186:17 200:4 certainly 7:6 51:14 76:13 126:21 127:5,16 128:15 128:18 202:16 Chair 93:4 99:8,12 146:1 148:15 | 155:1 169:17 176:20 177:3 182:6,9 187:8 Chairperson 1:19 1:22 3:3,15,19 6:10 7:17,22 8:13 8:17,19,21 9:3,5,7 9:13,21 10:4,6,8 10:12,14,16 13:5 13:9 14:17 15:8 16:7,10 17:2,5,9 17:12 29:14,17 30:1,12 31:13 32:3 45:14 55:15 55:21 65:19 66:4 66:10,16 67:1,13 67:22 68:11 69:3 69:8 73:22 74:5 75:21 76:2,17,22 79:1 82:8,10,13 82:16,20 83:1,8 83:12 84:1,4,8,18 85:9,15,20 90:6,9 93:3,5 96:20 97:4 97:7,10,14,18 98:2 99:9 118:10 118:11,15,19 119:2,6,10,13,21 120:5,9,14,17,18 121:6,9 123:7 124:15 125:8 126:8 127:11 128:4 129:2,20 130:2,14,17,19,21 131:3,5,7,13 132:21 133:3,10 133:15 134:2 140:13,17 142:17 143:20 144:1 145:6,20 147:4,7 148:16,21 149:7 149:16 150:5,14 151:5 152:6,16,21 153:11 155:11,17 157:19 158:2,8,13 158:17 159:1,4 162:20 167:15,21 |
| board 1:3,18 3:12 3:20 4:21 5:1 6:3 6:11,16,20 7:4,9 7:13,18 8:1,4 9:22 11:2 13:10,15,20 13:22 17:8 20:3,5 20:8 24:6 30:14 31:19 45:12 52:20 91:19 106:10 118:12 121:15,18 121:22 122:8,10 122:15 124:11,21 125:2,16,19 126:5 126:7,8 127:7,9 128:5,12,18 129:5 129:7,10,14,17 130:3,6 132:8,15 132:22 133:2 140:13 142:17 150:17 154:15 162:14,18 177:4 187:10 190:15 193:18 201:5,9 203:21 205:10 206:2,5 207:14,15 | bounds 146:17 Brandon 42:6,9,10 42:11 45:21 56:9 brief 139:9 briefly 175:16 bring 95:3 104:8 117:7 122:22 127:21 129:15 161:14 Brooks 1:23 8:17 8:18 10:4,5 130:17,18 206:21 206:22 brought 95:8 145:9 168:22 buddy 202:3 Building 1:18 bureau 76:10 business 80:22 107:3 150:9 180:5 191:2 button 21:15 button-up 21:15 26:12 117:6,10,22 118:1 | called 14:9,12 22:12,21 32:14 36:19,19 37:6,10 38:15 39:21 40:3 46:12 47:13 51:8 53:6,7,22 62:2 63:4,7 68:22 69:21 72:9,20 73:1,4,7,11,16,17 73:20 74:3 80:3 84:9,11 87:17 91:17 92:13 94:1 101:3 125:5 126:16 127:16 167:5 168:2,7,10 168:22 169:4,9,12 171:11 172:19 175:21 176:7,15 178:12,22 179:2 183:15,20 184:2,5 189:11 192:11,19 192:21 193:2 194:11,14,16,22 195:2,6,10,11,16 196:22 197:8,15 200:9 202:2 204:3 204:6,16 caller 36:14 73:1 92:20 | Chair 93:4 99:8,12 146:1 148:15 | |
| Board's 8:8 14:18 72:8 130:11 203:6 | Cafe 1:9,10 3:4,5 11:3,4 12:9 18:10 21:7,19 24:12 25:1,6,22 26:1 27:3 28:4 39:9 40:6,9 44:13 74:10,12,16 75:14 77:17 134:16 135:2 136:10,14 138:4 141:1 153:7 180:3 202:11,17 | | | |
| boisterous 64:11 199:3,13 | calculating 5:21 | | | |
| book 164:21 165:2 191:6,7,18 | call 8:13 13:6 23:2 29:2 36:17 37:8 39:19,20 44:8,11 44:15,19,22 45:9 | | | |
| bother 115:2 | | | | |
| bottle 59:16 | | | | |
| bottom 85:5 195:15 | | | | |
| bouncer 21:6,20,21 22:2,5 24:12 25:2 28:14 30:8 40:7,9 46:4 74:10,12,16 75:13 77:17 78:1 90:22 104:9 | | | | |
| bouncers 100:9 | | | | |

| | | | | |
|--|--|---|---|---|
| 168:8,16,19 169:2 169:4,7,13 175:10 175:15 176:21 177:7,11,15,22 178:3,7 179:13,16 179:19 180:15,19 181:2 182:3,7 187:9 188:4,10,16 190:14,20 192:13 192:17 193:10,17 198:1 205:4,9,20 206:1,16,21 207:1 207:3,7,9,11 chance 143:4 144:22 changes 7:8 chaos 94:14 characterization 124:10 charge 4:5,7,8 6:22 14:15 122:3,5,15 122:17,19 125:7 125:22 126:22 127:4 129:11 132:1,13 165:1 charged 13:17 80:12 123:6 charges 4:20 5:20 5:21 6:8 11:5 12:12,16 75:16 76:13 77:19 121:10,13 122:3 122:10 124:17,20 125:1,17 127:7 128:22 check 147:20 choosing 91:15 circumstance 65:10 circumstances 6:21 7:2 32:20 69:22 115:13 179:1 200:5 203:15 cited 200:8 206:12 Citron 1:10 3:5 11:4 12:9 18:11 21:7,19 24:13 | 25:1,6,22 26:1 27:3 28:4 39:10 40:9 44:13 74:10 74:12,17 75:14 77:17 134:16 135:2 136:10,14 138:5 141:2 153:7 202:11,18 Citron's 40:6 claim 21:20 claimed 44:7 claiming 89:12 clarification 147:10 clarify 26:7 clear 80:17 91:16 101:16 120:2 126:10 146:2 170:8 177:3 204:7 clearing 105:21 clearly 14:8 81:10 99:17 101:6,16 106:12 199:8 203:4 Clelia 2:7 3:11 152:15 153:3 close 22:1,2 42:7 135:16 closed 7:21 8:4 9:8 130:6 131:9 205:7 206:5 207:14 closest 196:10 197:19 closing 2:3,4 127:6 161:8 190:16 193:12 club 111:11 clue 168:3 Code 4:6,9 5:4,4,8 5:13 11:11 12:1 132:7,9 collaborate 181:9 collection 186:2 Columbia 1:1 3:14 8:2 20:12 130:4 201:9 204:20 205:11 206:3 | come 27:5 51:8 52:16 69:7 74:15 74:19,20 80:4 81:7 84:13 88:7 100:9,15 102:15 103:10 104:10,18 104:19 105:9,10 105:13 108:18 111:4 113:9 114:10,10 118:2 122:14 147:16 161:9 170:3 172:5 184:20 187:2 comes 79:20 165:4 comfortable 163:2 163:6,7,13 coming 52:7 81:9 169:8 205:8 comment 123:8,10 128:13 comments 79:5 132:22 committed 11:9 64:21 65:16 67:18 68:8,10,20 70:12 70:13,16 71:2,9 71:16,21 89:14,17 89:19 90:5 198:11 200:12 communicate 23:12 146:12 183:5 communication 139:20 196:19 Company 153:18 complaints 141:10 complected 117:11 complete 138:20 completed 138:22 157:1 164:18 completely 20:19 58:22 59:11 122:17 complied 6:2 comply 1:14 27:12 121:11 132:4 Compromise 3:20 | 9:18 10:18 13:12 concede 199:17 concerned 33:9 39:12 concerning 12:12 14:22 52:11 128:12 201:1 concerns 11:5 12:19 121:16,16 122:11 conclude 65:14 68:16 69:1 71:1 71:11,15 90:3 204:10 207:19 concludes 13:3 190:15 196:4 205:5 conclusion 7:10 14:13 conclusions 205:14 concur 7:6 conditions 6:2 conduct 124:11 126:17 129:6 conducted 34:7 126:19 conducting 19:9 31:21 76:20 confer 139:11 conference 207:15 confident 163:21 164:11 170:21 confirm 116:6 150:20 confronted 89:8 connect 23:12 connected 23:14 72:14 75:14 Connecticut 1:10 3:6 18:6 20:4 24:5 connection 11:21 12:4 13:21 48:10 48:17,19,22 49:6 49:18 50:13 153:6 153:7 consider 7:20 | 125:13,13 129:22 130:9 consideration 8:9 considered 4:11,13 considering 30:2 132:1 considers 132:14 consist 4:4 consistent 5:13 7:9 87:21 construing 204:22 consume 87:20 contact 11:20 12:3 24:22 25:8 36:5 122:4 132:6 141:18,21 149:19 149:20 150:11 172:5 199:4 contacted 23:14 72:10 73:4 134:14 134:19,21 135:2,5 135:22 150:3 contain 200:3 contained 71:13 contemporaneous 197:20 context 101:6 147:21 continuance 123:14 124:13 131:16,22 132:18 continue 24:8 32:7 36:9 128:7 continued 34:9 39:18 43:19 107:2 113:20,21 122:21 128:9 Continuous 105:3 105:5 contradict 197:7 contradicted 201:14 202:13,14 contradicts 202:16 control 1:3,17,18 8:1 104:3 130:3 205:10 206:2 controvert 56:11 |
|--|--|---|---|---|

| | | | | |
|---|---|--|--|---|
| conversation 71:14 91:14 92:4,7 166:9,12,21 167:18 conversations 169:18 Cool 101:15 cooperate 33:4,12 79:6,16 95:10 96:13 99:19 100:16 105:12 127:18 137:7 138:7,10 139:10 cooperating 99:4 136:10 144:20 cooperation 32:18 81:16 98:8,12 121:19 126:12 128:12 cooperative 59:1 59:12 108:9,10 139:5 copied 66:15 copies 17:7 120:7 copy 17:6,22 83:6 164:21 Corill 185:20 Corillio 185:19 corner 55:18 correct 46:14 47:4 49:20 50:3,4 51:2 51:16,21 52:3,8 53:18 54:5 55:10 56:22 57:17 60:21 61:21 62:22 64:7 66:16 69:10,19 70:1,5,16 71:16 72:11,15 73:18 74:8 75:17 76:10 77:10,11,20 84:15 101:8 118:13 120:20 136:14 150:21 151:3,10 151:14 152:2 154:2,21 155:7 156:2,17 160:8 163:1 173:7 191:3 | 191:11,14 corrected 184:16 correctly 88:21 99:20 131:20 136:18 correlating 184:8 corroborate 50:18 123:2 corroborated 201:13 202:7 corroborating 52:2 counsel 8:7 67:11 67:16 83:20 130:9 206:7 counselor 84:6 counsel's 123:12 124:10 couple 87:5 93:7 179:7 Courbois 58:10,12 95:13 136:18 144:6,7,9,9,10,15 145:8 165:7,11,15 174:11,14 177:6 179:17 180:16 182:11 course 13:19 22:17 28:3 41:8 53:9 58:8 70:1,17 80:12 94:9,12 125:4 191:2 cover 3:21 4:19 co-author 142:22 CR 1:12 credibility 76:14 126:13 196:14 203:14 credible 162:14 crime 26:16 35:20 48:13 49:6,16 64:21 65:15 67:17 68:7,10,20 70:11 70:13,15 71:2,8 71:16,20,22 82:2 89:14,17,19 90:5 90:13,14,22 91:1 99:2 196:4,5 | 198:11 200:11 criminal 24:21 25:3 27:6 33:8 34:9 36:9 38:2 79:21 81:4 96:16 100:6 112:15 criminally 75:17 78:18 criticizing 198:17 cross 2:5 45:15 158:19 cross-examined 201:16 202:20 crying 185:2 curious 177:20 customer 189:6,7 customers 170:12 C-O-N-T-E-N-T-S 2:1 | declarant 201:11 201:15,20 202:5 202:19,21 decline 10:17 defense 83:20 defined 118:5 definitely 42:17 140:9 deliberating 130:9 206:10 deliberation 8:10 Dentistry 201:9 deny 30:13 32:3 department 12:22 15:21 16:2,5 28:11 69:17 84:22 101:8 134:22 145:10 195:11 department's 85:17 dependent 197:20 Depending 159:18 Deputy 188:6 describe 32:9 38:10 60:16 85:22 described 20:21 21:7 29:20 30:19 31:10 39:19 40:3 40:4 41:14 53:20 60:10 62:1,2,12 74:6 111:20 115:12 151:17 181:22 describing 30:10 65:9 181:16 description 104:12 deserves 132:16 162:19 detailed 92:3 details 136:8 137:18 169:8,11 detective 38:3,15 38:20 39:2,3,5 76:10 detectives 75:1,2 77:13,15 78:4 determination | 13:16 70:10 71:8 71:20 72:3 129:19 determine 25:1 77:16 90:4 93:12 127:15 128:1 determined 75:13 76:11 die 198:13 different 29:12 30:7 69:22,22 92:8 122:17 173:16,18 184:8 186:7,9 differently 160:3 175:20 direct 2:5 54:22 110:5 201:14 202:14,15 directed 97:1,22 100:3 direction 108:19 177:14 directly 20:12 110:3 184:15 disagree 130:20 131:2 disclose 28:16 discount 197:10 discovered 78:14 discrepancy 177:21 179:22 discuss 30:3 165:6 165:10 discussed 165:14 disorderly 1:14 11:8 64:11 199:3 199:13 dispatch 54:10 91:8 dispatcher 20:5 22:16 23:14,15,22 24:3 33:13,16 34:11 36:5,5,6,11 36:12 37:1 39:1,1 72:21,22 74:3 92:9 94:11 disposition 125:6 |
|---|---|--|--|---|

| | | | | |
|---|---|--|---|---|
| dispute 13:13 57:11,16 disregard 13:11 109:7 112:18 disrespect 122:10 distinctly 99:17 District 1:1 3:13 8:1 15:21 20:11 40:22 41:3,6 42:19 130:3 201:8 204:20 205:10 206:2 doctor 37:21 90:1 doctors 89:7 document 15:5 17:14,19,22 18:1 55:16 65:8,9,11 83:13 85:2,4,14 120:10 154:8,9,15 155:5,6,13,19 156:9 162:14 163:4 164:13,16 164:19 165:7,11 171:8 180:1 192:7 documents 66:7 165:16 192:13 doing 27:6 41:2 80:14 90:21 100:7 108:1,2 141:6 149:13 194:12 DONALD 1:23 door 11:15 21:19 25:22 26:13 104:9 104:19 117:13 160:4 170:17 171:20 172:8,14 172:17,19 doorman 11:17 21:6 doormen 100:9 102:11 112:8 117:8 doorway 116:4 doubt 76:13 194:21 197:4 downstairs 107:13 downtown 80:10 | dress 133:21 dressed 117:16 drink 189:7 drinking 81:2 105:2 Dupont 1:9 3:5 11:3 duties 170:7,10,14 170:18,19 172:10 172:16,17,18 duties.l 52:22 duty 44:6,21 165:4 D.C 1:19 4:6,9 5:4 5:4,8,13 11:11 12:1 18:7 132:7,9 <hr/> E earlier 31:1 32:13 187:13,17,20 188:1,20 189:3 early 61:18 easy 200:9 echo 177:16 edition 4:7 5:5,9,14 effect 6:5 100:18 111:14 128:10 either 104:15 129:18 184:15 195:18 else's 186:10 email 97:3 emails 97:1,1 emergency 204:4 employed 16:4 77:17 116:7 134:4 134:6 employee 35:1 95:2 115:19 157:5 161:6 164:3 172:6 172:8 employees 11:9 30:18 31:3 79:13 81:4,11 95:4,10 96:6,12 99:18 100:2,9 101:5 102:6,8 104:8 106:14 109:1 | 115:1 117:7 123:19 126:15 167:18 168:2 171:4 EMS 51:15 53:6,7 54:17 72:10,10,20 72:21 encountered 116:19 ended 31:12 enter 91:2,3 119:17 entertain 6:9 entirely 162:12 196:20 entry 90:15,19 escort 189:12 establish 14:8,11 69:6 162:13 established 29:11 39:10 89:19 100:6 establishment 1:13 11:7 18:8,10 28:6 45:8 48:4,8 50:7 63:22 64:3,6,12 72:14 91:2,4 95:2 98:9,13 99:15 102:7,11 106:15 110:16 111:9 113:6,9 114:5 115:19 116:8,16 117:17,20 118:4,5 121:11 126:1,16 142:9 146:4,11 147:13,15 148:4 148:10 169:22 172:4,7 173:6 174:20 175:21 176:5 194:1 196:7 196:22 197:17 203:18 204:8 establishments 149:20 150:2 179:3 establishment's 4:15 132:5 ethnicity 25:16 evaluate 203:13,14 | evening 133:17,20 133:22 134:10,14 152:13 157:9 187:13,18 188:1 188:20 189:4 event 18:1 83:14 131:21 events 88:22 154:1 eventually 27:18 everybody 186:10 evidence 12:7 14:7 14:11,14 16:18 17:16 31:3 56:11 67:10 77:2 119:18 120:4,13,22 124:19,22 127:8,9 127:19,22 132:16 155:22 187:22 194:9 195:10,20 196:10 197:7,16 199:18 201:2,6 204:1 exactly 66:6 79:9 102:3 109:15 110:12 145:17 examination 87:3 example 110:10 186:17 examples 98:18 excellent 6:19 Excuse 20:11 109:10 112:7,11 133:20 163:10 190:6 excused 118:20 exhibit 2:15,18,22 12:8 14:22 15:6 16:14,16,21 17:15 30:16 54:22 55:1 55:2,3,17,20 56:12 57:12 64:14 64:19 66:5 67:8 67:10,12 68:14,16 70:22 72:3 82:11 83:9,14 84:15 85:10 90:10,11 96:21 97:6 119:17 | 120:12,21 121:3 127:22 154:7,10 155:2,20 177:10 178:15 179:6,9,13 179:15,16 180:20 182:10,17 184:9 185:9,10,14 186:2 191:14 194:16 exhibits 2:11 121:1 expected 7:9 expecting 121:21 122:14 experience 149:17 149:22 150:2 explain 203:2 explained 33:6 39:8,9 87:19,22 98:21 100:20 101:1 111:19 112:3,13 113:14 expressing 122:11 extensively 166:17 extent 94:11,20 123:15 124:12 125:18,20 129:16 external 83:19,21 extremely 7:1 <hr/> F face 113:4,5 200:16 faced 122:15 facet 126:18,20 fact 13:11 29:12 31:6,8 32:4 48:14 56:15 57:9 64:2 65:1 68:22 94:14 110:14 124:1,2 132:13 163:3 178:19,20 194:12 197:18 198:18 204:21 205:14 factors 4:14 71:7 facts 13:14 39:10 62:21 64:20 65:4 65:11 66:2,2 68:3 68:4,6,14,17,17 68:19,19 69:2 |
|---|---|--|---|---|

| | | | | |
|---|--|--|--|---|
| 70:4,15 71:1,2,12 71:12 76:9,15 187:22 194:3 failed 1:14 121:11 126:1 132:4 194:9 failing 11:20 12:3 122:4 132:5 fair 122:13 128:21 135:9 139:12 140:5 143:13 151:7 192:4 fairly 123:4 132:1 170:21 fall 24:14 false 67:20 68:3 85:6 familiar 63:4,13 153:22 154:3 familiarize 198:21 far 30:2 39:11 125:12 138:13 150:21 157:11 158:6,12 far-fetched 60:9 favor 111:4 131:8 133:1 feel 9:10 80:6 89:10 125:20 fell 20:18 46:5 86:19 94:4 175:5 195:22 felony 38:4,6 81:15 female 27:15,18 32:19 35:17 88:16 103:14 134:22 Fernando 3:13 140:15 figure 179:22 180:14 file 205:15 filled 154:17 film 97:20 finally 6:1 find 14:1,16 26:2 34:15 66:7 114:11 126:2 161:14 188:8,14 205:1,2 | finding 203:16 findings 205:14 finds 203:21 fine 4:4,10 5:2 17:9 59:1 fined 5:12 fines 5:7,10,15 finger 100:1 finished 37:11 56:4 56:5 158:15 fire 195:11 204:4 first 13:6 25:7 42:11 93:17 111:3 111:5 115:21,22 116:3,21 123:13 135:13 136:13 146:7 149:4,6,8 156:8 172:4 194:13 199:22 fit 104:11 128:3 five 131:8 137:15 193:13 Florence 19:4 43:5 flustered 140:1 145:3 focus 106:7 127:6 fold 14:6 follow 75:3 167:16 followed 37:16 following 177:4 195:6 follows 201:4,10 follow-up 78:4 footage 97:21 footnote 201:10 force 16:8 forget 187:5 forgot 205:13 forgotten 185:4 form 106:15 156:7 forth 35:22 41:5 68:14 86:11 184:20 198:12 201:8 forward 10:18 32:18 47:15 48:3 48:7 129:16 | found 5:10 37:21 84:10 114:14 139:13 161:8 191:21 foundation 69:6 Fourth 202:19 frank 106:9 free 9:10 fresh 184:12 friction 58:9,17,18 58:21 59:7,8 friends 179:9 181:22 front 64:16 66:5,20 67:3 101:19 104:19 110:15 169:21 172:3 174:20 180:5 191:7,7 full 81:1 83:5 101:10,11 109:16 188:13 further 6:5 29:18 33:3 43:17 44:2 45:11 70:13,14 75:16 76:13 77:19 78:17,21 80:11 89:10,16 90:3 93:1 110:3 125:16 132:22 140:11 142:16 145:5 152:3,5 157:17 167:14 193:9 future 4:12 5:21 | 181:11 gentlemen 105:13 112:17 177:19 178:16 179:11 180:9 getting 178:8 give 17:6 22:11 25:15 28:2 36:16 36:20 45:9 50:2 58:3,5 69:1 78:2 92:10 103:12,12 108:10 122:21 128:9 129:15 132:15 162:18 164:18 169:7,10 194:20 197:3 207:13 given 70:4 125:21 164:13,17 192:2 204:21 gives 85:5 giving 6:21 54:17 81:8,11 165:1 glass 189:10,11 glasses 154:13 go 9:8 10:18 24:22 25:6 29:18 33:3 35:11 41:10 45:14 79:16,19 89:5 90:19 93:5 96:13 100:17 105:14,14 107:14 109:8 112:4 114:4,11 125:16 126:13 131:9 140:18 166:17 175:6,11 184:3 190:21 192:2,7 God 15:11 133:13 152:19 goes 196:14 going 7:20 9:21 16:13 23:5 30:3,6 33:9 34:15 45:7 47:21 48:5 53:10 60:8 65:17 80:22 81:15 87:1 88:2 | 89:5 90:20 94:15 94:20 96:16 103:13 105:19 107:18 108:9 112:15 125:16 127:3,21 129:21 129:22 133:6,11 134:16 137:11,19 138:4 150:11 152:16 154:5 166:17 168:4 177:13 178:4 179:4 192:15 193:15 201:5 205:6 good 3:8,10,12,15 11:1 15:13,14 45:16,18 133:17 133:19 152:12 gotten 35:9,21 94:3 120:7 governing 204:20 Government 2:2,3 2:13 4:13 12:20 14:22 15:6 16:17 17:15 119:5 120:11 121:4 123:11,16 124:13 201:19 203:1 205:17,19 Government's 15:3 16:14 30:16 54:22 55:1,19 67:10 68:15 119:17 120:21 121:3 198:3 Granted 199:17 great 98:9,14,15,17 153:21 Greg 2:6 133:9 grind 202:4 Gropp 201:8 ground 31:12 40:7 40:8 180:4 181:8 guess 23:13 105:17 150:8 178:19 gun 194:8 |
|---|--|--|--|---|

| | | | | |
|---|--|---|--|--|
| guy 21:20 22:1 23:4 23:4 29:6 40:17 88:15,19 89:1 111:12 117:5 guys 104:8,18 108:17,19,22 144:22 150:12 guy's 195:21 202:3 GW 34:14 | 22:8 24:15 25:21 38:13 40:7 46:5 53:14 74:7 86:3 86:13,14,17,22 87:3 115:17 117:11 193:6 hear 14:7,15 40:2 74:1 81:10 99:20 129:7 153:12 178:4 187:15 heard 12:19 96:4,5 99:17 hearing 1:11,18 3:16 6:4,17 7:11 10:19 12:14 14:4 122:20 125:10 128:9,18 129:5 131:16 153:13 178:1 205:5 207:19,22 hearings 201:1 hearsay 200:17 201:1,6,6,13,17 202:15 203:3,22 204:20 hectic 183:1 heed 113:10 help 15:11 40:17 62:5 79:9 80:2 88:3 133:13 152:19 195:12 helping 180:13 HERMAN 1:25 hesitate 122:7 Hey 87:16 104:17 114:22 195:12 highly 138:3 hire 160:18 hired 160:22 hiring 160:21 Hispanic 25:17 60:19 hissself 40:8 history 7:15 128:14 129:18 195:14 hit 20:18 22:8 40:7 46:5 | hold 8:4 130:6 206:5 207:14 home 160:17 honestly 162:5 186:11 hope 13:22 129:14 hospital 34:14 37:12,14,17,19,21 38:8 39:5,8 86:5 86:10 87:1 89:7 89:22 hotline 134:21 141:15 hypothetical 75:19 90:8 hypothetically 66:1 89:20,21 110:11 | 32:5,10 44:3 65:14 122:2,5 134:15 136:7 145:14 147:14,19 148:4 149:11,20 150:11 154:17,19 156:14 163:13 164:1,5 165:5 166:13,14,22 167:2 168:15 173:20 174:16 175:18 180:16 183:12 185:10,11 185:14,16,21 186:1,4,7,9 187:22 188:8,9,13 189:3,20,21 191:1 191:8,10 194:2,18 195:5 197:1 incidents 30:4 150:3 156:11 187:12,17 incident-based 83:14 include 4:22 included 67:5 185:14 includes 18:2 inclusive 5:17 indecent 64:6 199:2,12 indicate 31:22 123:18 146:11 169:19 174:18 175:2,2,20 176:2 176:10,13 indicated 5:20 42:3 58:2 99:13 115:16 174:15 179:10 183:5,14 202:22 indirectly 184:15 individual 21:4,8 25:2,21 26:2,4,9 26:11,18 27:4 31:1 34:18,22 35:1 36:7 53:5 73:16 75:14 76:6 | 81:22 101:1 106:10 115:17 116:7 117:9,11 126:6 148:9 169:20 170:13 172:6 173:9 176:3 180:7 185:21 190:5,9,11 individually 110:3 individuals 40:14 80:19 81:2 107:10 112:14 185:15 individual's 170:7 indulgence 14:18 41:15 72:8 97:9 industry 150:8 inference 31:5 information 18:22 19:2,6 27:3,20,22 28:4,9,13,14,16 28:18,20 32:2 33:1 34:11 36:4 36:19 41:13 57:20 60:11 63:2 73:12 73:18,20 74:4 77:22 78:5,6 79:14,15 80:4,20 82:3 88:17 89:9 89:22 90:2 93:18 94:10,12,13,17 100:10,19 103:17 104:1 108:4 109:9 109:21 110:20 111:3,18,21 112:10,14,22 117:1 137:21 141:12 200:11 202:5 initial 102:19 127:20 initially 103:9 115:18 116:19,19 injured 53:5 176:3 199:21 204:10,11 injuries 86:1 90:21 injury 38:13 86:15 87:4 |
|---|--|---|--|--|

| | | | | |
|--|--|--|--|---|
| inside 21:4 25:6 26:20 27:3 30:9 30:11 87:9 100:5 111:8,11 112:1,13 113:6,15,17,18 114:11,14 137:19 137:20 160:5 168:3,5 170:12,17 172:18 180:3,4 insight 186:3 inspections 141:7 instance 199:22 instruct 47:6 instructed 182:17 183:6,7 instructions 7:21 205:7 interested 175:12 interfered 80:7 interfering 80:13 80:18 internal 83:18 84:6 interpreted 92:5 interrupt 20:8 35:12 113:2 interview 74:12,16 79:22 80:1 85:1 interviewed 84:10 interviewing 26:21 intoxicated 11:10 11:17 189:8 introduced 139:9 investigate 70:12 70:14 74:16 89:10 89:12,16 98:12 investigated 76:11 investigating 32:11 investigation 19:6 19:9,14,17,21 24:21 25:3 27:7 28:8 31:21 32:1,5 33:21 34:8,10 36:9 38:2 39:12 39:13 43:21 44:3 58:8 60:15 62:20 77:10 78:9 79:21 80:7 81:4,15,19 | 83:2 84:21,22 85:11 90:4 93:11 94:7,16 96:16 97:8 99:16 100:8 100:16,21 112:15 113:21 114:22 123:21 125:4 138:20,22 143:16 investigations 76:20 investigative 16:21 30:16,22 55:2,19 56:13 68:15 119:18 151:17 185:8 188:7,15 200:8 investigator 12:22 14:21 15:2 34:3 67:8 80:3 97:2 120:22 123:18 133:9,14,18,19 134:5,7,8,11,17 134:20 135:6,14 135:20 136:2,6,15 136:17,22 137:3 137:12,13 138:12 138:16,21 139:8 139:11,14,19 140:7 141:3,6,9 141:17,21 142:2,6 142:10,13,14,20 143:1,5,9,15,19 144:3,7,12,17 145:11,16 146:6 146:14 147:9,17 148:2,7,13,19 149:2,10,18 150:1 150:7 151:1,2,9 151:13,19 152:1,8 152:11 164:13 165:8,12 196:16 investigators 34:6 203:9 investigator's 2:15 191:11 invoke 63:8 199:5 involved 18:17 | 75:15 77:9 82:1 164:6,8 171:6 involvement 19:21 60:4 164:4 issue 5:16 14:3 129:1,9,17 183:17 207:17 issued 11:4 issues 98:22 121:18 122:12 item 106:7 <hr/> J <hr/> Jackie 160:22 161:2 167:4 Jamal 39:22 Jamel 40:1 James 42:6,9,10,11 45:21 48:10 51:5 51:20,22 52:7,17 56:9 57:14 62:22 71:15 January 1:16 130:11 JEANNETTE 1:25 job 6:19 70:1,18,21 80:14 159:12,14 160:7 161:9 194:10 join 7:12 Jones 1:25 9:5,6 10:14,15 99:10,11 99:22 100:22 101:4,11,15,21 102:5,12,19 103:2 103:5,9,15,20 104:5,14 105:3,7 105:16 106:1,5,18 106:22 107:4,8,16 108:6,12,15 109:4 109:13,18 110:1,8 110:18,21 112:20 113:1,4,8,13,18 114:1,3,8,13,17 114:19 115:7,10 115:14,22 116:5 116:10,13,17 | 117:3,9,15,19 118:3,9 131:5,6 145:21,22 146:9 147:4,6,8,22 148:5,8,14 169:15 169:16 170:3,6,13 170:20 171:3,12 171:18,22 172:2 172:20 173:1,3,7 173:13,19 174:1,4 174:8,12,14,18 175:1,12,14,19 176:2,9,13,17,19 177:4 182:7,8,15 183:3,10,19 184:7 184:19 185:7 186:15 187:7 207:9,10 judge 14:13 <hr/> K <hr/> keep 191:8 Keeping 136:11 keeps 180:21 kept 191:1,5,17 kicked 29:22 kind 104:20 108:16 139:10 140:3 149:5,15 175:16 Kline 3:8,9 6:12,14 13:7,8 16:19 29:7 31:14,15 45:16,20 46:2,9,13,17,21 47:3,6,9,14,19 48:2,9,14,18,22 49:4,7,12,19,22 50:5,11,17,22 51:4,9,14,19 52:1 52:6,10,15,19 53:1,4,13,17,21 54:3,9,14,17,20 55:5,8,13,15,17 56:1,5,8,17,21 57:3,9,17 58:1,7 58:12,14,18,22 59:4,8,11,15,19 59:22 60:12,16,20 | 61:1,7,12,18 62:6 62:9,14,19 63:3,7 63:15,20 64:4,9 64:14,19 65:2,7 68:9,13 69:5,9,13 69:16,19,21 70:3 70:8,20 71:5,10 71:18 72:1,6,13 72:17,19 73:2,6 73:10,15 74:6,11 74:15,20 75:2,6 75:12 76:3,4 77:8 77:12,15 78:3,10 78:13,20 91:18,22 118:14 120:16,18 121:8 125:2,18 126:11 127:13 128:8 129:4 131:18 132:11 133:6,8,17 134:3 134:6,9,13,18 135:4,9,18,21 136:4,11,16,20 137:2,9 138:10,14 138:18 139:3,12 139:16 140:5,10 152:4,10,14 153:1 153:5,10,17,21 154:5,14,20 155:1 155:4,9 156:1,5,7 156:13,16,19 157:1,5,8,11,16 158:5,16,21 159:20 162:9,15 175:7 187:21 190:18,22 191:5,9 191:13,17,20 192:4 198:2 205:16 Kline's 89:6 knew 32:20 102:3 109:6,15 138:4 139:16 141:1 178:12 190:5,9 knocked 20:19 22:8 24:15 38:11 40:8,17 87:4 |
|--|--|--|--|---|

| | | | | |
|-------------------------|-----------------------------|----------------------------|--------------------------|---------------------------|
| knocking 22:7 | 171:15 | license 1:11 3:6 | 143:2 190:3 192:2 | 103:14 106:16 |
| know 22:22 25:20 | | 4:15 5:1,3 7:7 | 192:10 193:5 | 107:6,19 111:22 |
| 26:20 30:2,6 | L | 79:15 100:18 | 198:19 | 112:2,2,12 113:22 |
| 32:17 41:20 42:11 | labeled 55:17 | 108:4 | looked 21:8 109:6 | 137:1 153:8,15 |
| 45:7 46:12 48:11 | laceration 86:12 | licensee 2:20 3:9 | 138:2 189:8 | 161:4 165:3 |
| 48:15 49:8,12 | lack 121:19 128:12 | 5:2 6:1,14 7:14 | looking 124:22 | 171:15 179:10 |
| 50:6,12 53:10,12 | 139:20 196:19 | 11:6 14:16 122:14 | 135:7 178:10,15 | 180:8 181:10 |
| 53:14,18 56:15 | lady 107:18 144:20 | 122:21 123:19,22 | 181:5 188:14 | 182:12 186:22 |
| 57:3,19 59:14 | latitude 128:19 | 128:9 129:6,7,15 | 204:21 | manner 199:2,11 |
| 60:7 62:9,21 73:7 | law 5:7 12:10 205:2 | 153:18 154:10 | looks 83:13 96:22 | 200:10 |
| 73:16 75:9 78:4 | 205:15 | 155:20 195:20 | lost 195:21 | marked 15:6 16:13 |
| 78:11 81:14 84:2 | laws 204:19 | 197:4 198:15,20 | lot 150:9 167:6 | 17:15 54:21 85:10 |
| 84:16 86:6,14,21 | Lawson 13:1 34:4 | 199:4 205:3 | 179:1 181:18 | 101:19 109:16 |
| 92:1,13 94:2,5 | 97:2,2 123:18 | licensees 198:10 | 194:3,3 196:12 | 120:10 154:6,10 |
| 97:19 103:13 | 137:14 139:11 | licensee's 5:18 | 197:10 | 155:19 180:20 |
| 108:21,21 109:7 | 142:14 151:2 | 30:17 31:2 154:6 | loud 81:3 111:15 | Master 15:19 69:12 |
| 109:14 110:12 | 164:13 165:8,12 | 155:2 204:2 | Luckily 197:11 | 69:13 |
| 115:8 116:3 123:3 | Lawson's 14:21 | licensing 28:4 | | match 185:16 |
| 124:4 136:8 137:8 | 15:2 67:9 120:22 | light 131:17 | M | matter 1:7 11:3,5 |
| 137:10,17 138:6 | 194:17 | light-complected | machine 45:4 | 24:21 48:14 52:12 |
| 138:13,22 145:1 | lax 201:2 | 21:14 25:15 | mad 140:8 | 56:15 57:10 64:2 |
| 146:15 149:8 | laying 172:3 180:4 | 115:17 117:10 | Madam 3:18 13:9 | 78:17 121:1 191:1 |
| 150:12,22 157:8 | 181:7 204:11 | Limited 153:17 | 93:4 99:8,11 | matters 3:17 8:7 |
| 157:12,21 158:1,6 | leading 91:20 | listed 5:9,12 73:1 | 118:10 120:18 | 10:21 |
| 158:12 159:16,19 | learned 67:4 | listened 102:17 | 121:9 145:22 | ma'am 82:9,12 |
| 160:7,9,11,22 | leave 43:17 79:17 | literal 204:5 | 148:15 155:1 | 109:4 133:14 |
| 161:11,14,18,20 | 79:19 82:2 89:2 | little 101:5 125:12 | 169:16 176:20 | 145:12 |
| 164:14 165:21 | 90:17,18 96:13 | 149:15 181:12 | 177:2 182:5,8 | mean 20:9 22:18 |
| 166:17 167:4,7,7 | 99:18 102:16 | 185:22 190:18 | 187:8 | 35:13 54:13 74:19 |
| 168:4 170:14,18 | 106:4,19 107:15 | live 129:16 179:8 | making 85:6 | 91:13,22 94:5 |
| 171:12 172:15 | 112:19 142:5,11 | 198:13 | male 21:14 24:13 | 113:2 115:9 125:9 |
| 173:16 182:21 | 181:12 194:12 | LLC 1:9 3:5 11:3 | 25:15 26:12 35:17 | 125:18,19 129:4 |
| 184:5 185:4 | leaves 89:1 | 153:16 | 35:18 38:1 42:15 | 141:4 |
| 186:13,13,14,19 | leaving 36:8 | location 20:13 24:4 | 60:19 87:17 | meaning 91:2 |
| 187:4 189:20 | led 81:19 | 94:4 141:13 | 107:13 116:3 | meaningful 196:8 |
| 190:11 192:22 | left 35:8,10,21 45:6 | lone 78:15 | males 102:13 | 196:22 |
| 193:1 194:14,15 | 88:20 102:17 | long 7:1,1 14:5 | 107:11 | means 199:7 |
| 198:9 199:7,8 | 107:5 142:9,14 | 16:1,7 51:10,13 | man 40:5 77:18 | meant 199:9 |
| 200:21 201:19,21 | 154:13 | 86:4 93:21 138:14 | 78:16 180:3 | mechanism 186:8 |
| 201:21 202:1,2,4 | legal 8:6 130:8 | 142:5 144:11 | management | medical 38:7 86:5 |
| knowing 50:1 | 206:6 | 161:5 175:9,11,13 | 200:10 | 176:4 |
| 140:4 | legitimate 121:17 | 195:22 196:2 | manager 27:14 | medics 176:12 |
| knowledge 62:19 | legitimately 170:22 | 197:4 | 32:19 33:2 44:5 | meet 121:13 201:6 |
| 72:20 98:3 118:4 | Let's 45:14 194:20 | longer 77:9 | 44:20 58:14 60:9 | meeting 1:5 7:21 |
| 136:21 139:4 | 197:5 | look 17:19 25:11 | 61:2,4,5 95:9,12 | 8:4 9:8 130:6 |
| known 124:3,7 | level 5:7 | 40:1 42:8 104:7 | 95:21 96:5 99:15 | 131:9 205:7 206:5 |
| knows 91:22 | Liability 153:18 | 124:16 129:11 | 102:18 103:1,2,6 | 207:15 |

| | | | | |
|--|--|---|---|--|
| Meetings 8:3 130:5 205:12 206:4,9,13 207:17 meets 201:19 member 1:22,23,23 1:24,25,25 8:12 8:16,18,20 9:2,4,6 9:20 10:3,5,7,11 10:13,15 11:15 31:7 69:16 79:3,8 80:6 81:17 82:4 85:19,21 86:16 87:6,11 88:4,7,10 88:13 89:4,15,20 90:8,11 91:7,13 91:20 92:2,12,17 92:21 93:1,4,7,10 94:8,18,22 95:6 95:12,17,20 96:3 96:9,14,18 98:5 98:11,17,21 99:3 99:7,11,22 100:22 101:4,11,15,21 102:5,12,19 103:2 103:5,9,15,20 104:5,14 105:3,7 105:16 106:1,5,10 106:18,22 107:4,8 107:16 108:6,12 108:15 109:4,13 109:18 110:1,8,18 110:21 112:20 113:1,4,8,13,18 114:1,3,8,13,17 114:19 115:7,10 115:14,22 116:5 116:10,13,17 117:3,9,15,19 118:3,9,21 121:22 122:15 125:3,19 126:5,11 127:13 130:13,16,18,20 131:2,4,6 132:20 135:2 142:20 143:3,6,12,18,22 144:2,10,14 145:4 145:8,15,18,22 | 146:9 147:6,8,22 148:5,8,14 150:19 151:4 152:12 153:9,15,17 159:10,13 163:10 169:16 170:3,6,13 170:20 171:3,12 171:18,22 172:2 172:20 173:1,3,7 173:13,19 174:1,4 174:8,12,14,18 175:1,14,19 176:2 176:9,13,17,19 177:2,4,9,12,18 178:1,5,10,14 179:5,15,18,21 181:6 182:5,8,15 183:3,10,19 184:7 184:19 185:7 186:15 187:7,11 187:16 188:2,5,12 188:18 189:2,13 189:19 190:4,8,12 202:17 206:15,20 206:22 207:2,6,8 207:10 members 3:13 7:4 11:2 13:10 20:16 25:1 45:13 91:19 125:16 126:7,8 128:5,12 129:10 129:17 133:2 137:22 142:18 159:10 193:18 Member's 122:8 memory 149:5 197:21 mentioned 168:13 180:1 merely 198:17 mesh 197:9 message 45:7 100:2 met 1:18 methods 76:19 Metropolitan 12:21 15:20 16:2 16:4 28:11 69:17 | 84:21 101:8,17 134:22 145:9 150:4 microphone 153:12 163:11 mics 177:17 MIKE 1:24 Miller 1:19,22 3:3 3:15 6:10 7:17 8:13,17,19,21,21 9:3,5,7,13,21 10:4 10:6,8,8,12,14,16 13:5 14:17 15:8 16:7,10 17:2,5,9 17:12 29:14,17 30:1,12 31:13 32:3 45:14 55:15 55:21 65:19 66:4 66:10,16 67:1,13 67:22 68:11 69:3 69:8 73:22 74:5 75:21 76:2,17,22 79:1 82:8,10,13 82:16,20 83:1,8 83:12 84:1,4,8,18 85:9,15,20 90:6,9 93:3,5 96:20 97:4 97:7,10,14,18 98:2 99:9 118:11 118:15,19 119:2,6 119:10,13,21 120:5,9,14,17 121:6 123:7 124:15 125:8 126:8 127:11 128:4 129:2,20 130:14,17,19,21 130:21 131:3,5,7 131:13 132:21 133:3,10,15 134:2 140:13,17 142:17 143:20 144:1 145:6,20 147:4,7 148:16,21 149:7 149:16 150:5,14 151:5 152:6,16,21 153:11 155:11,17 | 157:19 158:2,8,13 158:17 159:1,4 162:20 167:15,21 168:8,16,19 169:2 169:4,7,13 175:10 175:15 176:21 177:7,11,15,22 178:3,7 179:13,16 179:19 180:15,19 181:2 182:3,7 187:9 188:4,10,16 190:14,20 192:13 192:17 193:10,17 198:1 205:4,20 206:16,21 207:1,3 207:3,7,9,11 mind 39:22 136:12 minute 55:14 minutes 20:20 22:9 24:16 38:12 87:5 119:7 135:17,19 137:15 138:17 141:20 142:3,7,9 144:13,15 175:6 193:14,16 misconduct 88:18 misconstrued 101:13 102:1 109:20 misdemeanor 38:6 missed 157:19 158:3 missing 198:3 Mobley 1:25 9:3,4 10:12,13 93:4,7 93:10 94:8,18,22 95:6,12,17,20 96:3,9,14,18 131:3,4 145:7,8 145:15,18 177:1,2 177:9,12,18 178:1 178:5,10,14 179:5 179:15,18,21 180:21 181:6 182:5 207:7,8 moment 7:20 119:9 129:21 | Morales 39:3 morning 196:11 Morris 39:3,5 motion 10:1 30:13 32:4 119:16 128:6 128:8 129:22 130:10 131:8,15 133:1,4 206:17 207:12,13 motivation 201:22 move 8:4 9:17 16:17,22 17:3,10 130:6 155:2 206:5 moved 32:18 MPD 22:20 23:15 23:16,21 53:22 85:12 150:12 MPD's 36:5 76:19 music 81:3 104:22 105:20 <hr/> N <hr/> name 15:17,19 18:10 27:5,16 28:20 34:5 36:15 36:17,20 37:2 39:22 40:2 41:18 42:2,12 55:9 57:2 58:6 83:15,19,22 91:11 92:19 93:17 95:15 96:1 109:17 135:1 136:3,18 144:8 153:1 162:4 163:18,19 179:8 202:6,21 names 46:22 47:7 47:11,12 62:7 narrative 19:1,2 narrow 128:22 132:2 narrowly 106:7 narrowness 129:11 nature 7:8 99:2 100:21 144:15 necessarily 73:11 84:14 necessary 125:15 |
|--|--|---|---|--|

| | | | | |
|--|--|--|--|--|
| 183:18 need 24:22 81:15 89:10 95:1 99:19 100:19 104:8,9,18 112:13,14 119:8 125:12 126:9 132:17 140:2 145:1 176:4 178:8 195:12 needed 80:2 88:3 90:4 139:9 needs 109:10 negative 59:18 61:10,15,22 neither 47:11 56:18 60:6 Nelson 156:4 157:2 159:7 160:19 161:6,12,19 163:14 164:17 166:3,12,21 184:2 184:3,4 192:9 193:4 194:10 never 22:15,19,21 26:13 32:14 45:9 47:17 52:10 59:19 65:4 66:5 82:22 83:4 92:3 107:5 112:4 114:7 116:11,18 180:1 197:12 new 12:15 NICK 1:23 night 11:18,20,22 141:19 154:18 156:10,17 159:11 159:13,16 160:8 160:10,14 166:18 167:6 170:8,10 173:4,6,11 182:22 183:2 185:1 186:13,20 nights 173:18 noncooperation 126:22 noncooperative 110:4,7 | non-existent 201:3 Nophlin 1:22 8:12 8:15,16 9:20 10:2 10:3 98:4,5,11,17 98:21 99:3,7 130:13,14,16 132:20 142:19,20 143:3,6,12,18 206:15,19,20 normal 28:10 normally 28:5,7 41:4 84:20 note 5:17 6:1 88:14 notes 95:15 96:2 notice 11:4 124:18 129:12 207:14 notified 23:16,19 23:21 38:3,19,22 91:4,5 105:11 173:20 notify 33:13,14 38:21 39:18 noting 126:5 notion 202:16 number 4:13 11:19 36:6,13,18 37:3 44:6,19,21 91:9 91:11,16 92:10,15 92:18,20 94:21 97:6 100:13 numbers 91:15 92:14 NW 1:10 N.W 1:19 3:6 18:7 O oath 172:12 object 65:18 68:21 75:19 122:8,16 123:16 124:14 objecting 31:14,15 91:19 objection 16:20 29:7 65:20,22 67:14 91:18 123:12 146:19 155:3,15 159:20 | 162:9 187:21 obligation 199:16 200:1 205:1 observe 25:20 observed 24:12 51:5 73:5 101:20 101:21 162:1 180:3 obtain 28:8 32:22 34:10 36:4 41:13 77:22 80:4,16 86:5 93:18 94:13 100:10 109:21 111:21 obtaining 82:2 94:16 117:1 obtuseness 147:11 obviate 197:6 obviously 7:12 13:11 32:16 88:1 109:11 181:17 occasion 74:21 occur 194:19 occurred 4:1,3 6:22 12:15 18:6,15 28:22 51:10 70:5 70:7,9 77:3 100:7 110:15 122:3,5 136:8 147:14 148:10 149:11 174:19 175:3 occurring 90:16 occurs 28:6 200:13 October 4:3 6:22 12:3,19 14:5,22 18:15 19:18 134:10 154:1 156:6 157:9 173:8 174:5 184:11 offense 100:6 offenses 5:16,19 18:2 offer 3:21 4:4,14 5:20 6:8,20 7:20 offered 47:15 Offer-in 3:19 9:17 10:17 13:11 | Offer-in-Compr... 6:13,15 7:14 9:16 Office 11:11 12:1 officer 12:21 15:4 15:12,14,18,20,22 16:3,9 17:18,21 18:5,9,14,19 19:3 19:3,7,10,15,18 19:22 20:1,2,10 21:3,11,18 22:5 22:20 23:2,9,13 23:20 24:3,10,19 24:20 25:5,12,14 26:5,10,19 27:2 27:10 28:2,19 29:5,16,19 30:5 30:19 32:8 33:17 34:3,20 35:3,7,14 35:18 36:3,12,16 37:1,4,6,10,15,20 38:9,16,19,22 39:7,17,21 40:13 40:21 41:4,9,16 41:19,22 42:4,6,9 42:13,16,21 43:2 43:5,6,10,14,18 43:22 44:4,12,16 44:20 45:1,3,6,17 45:18,20 46:1,7 46:11,15,19 47:1 47:4,5,8,10,17,21 48:6,12,16,20 49:2,5,10,14,21 50:4,9,15,20 51:3 51:7,12,17,22 52:4,9,13,18,21 53:3,7,16,19 54:1 54:6,12,15,19 55:4,7,11 56:3,7 56:14,18 57:1,4,6 57:15,18 58:3,5 58:11,13,16,20 59:2,6,10,13,18 59:21 60:2,13,18 60:22 61:3,10,14 61:22 62:8,11,15 62:17,17 63:1,6 | 63:12,18 64:1,8 64:13,17,22 65:3 65:22 69:9,10,11 69:12,14,15,18,20 70:2,6,19 71:3,6 71:17,19 72:4,12 72:16,18,21 73:3 73:9,13,19 74:2,9 74:13,18,22 75:4 75:8 77:6,11,14 77:21 78:8,12,19 79:4,7,11 80:8 81:21 82:6,9,12 82:15,18,22 83:4 83:11,17 84:2,5 84:16,20 85:13 86:2,18 87:9,13 88:6,9,12,16 89:3 89:11,18 90:12,13 91:10 92:11,16,19 92:22 93:9,14 94:9,19 95:5,7,14 95:19,22 96:7,11 96:15,19 97:3,6 98:7,10,15,19 99:1,5,21 100:4 101:2,9,14,17,18 102:3,9,13,22 103:3,8,11,16,21 104:6,20 105:5,8 105:17 106:3,17 106:20 107:2,6,9 107:22 108:8,13 108:16 109:5,14 109:19 110:6,17 110:19 111:2 112:21 113:3,7,11 113:16,20 114:2,6 114:9,16,18 115:3 115:8,11,20 116:2 116:9,11,14,21 117:4,14,18,21 118:7 119:1 123:1 125:21 129:5 135:1,22 137:16 137:20 138:3,8,19 139:6 140:1,6 |
|--|--|--|--|--|

| | | | | |
|--|---|---|---|--|
| 141:19 144:5 146:5 149:11,14 195:13 196:3 199:8,9 200:19 202:9,22 203:10 officers 84:12 137:4 146:17 203:8 officer's 58:6 official 4:6,9 5:4,8 5:13 85:4,12,14 132:7,9 oh 111:11 139:14 157:22 161:20 163:12 166:5,9 173:21 184:3 okay 9:7,13 13:5 15:8,22 16:6 17:9 17:12 18:3,21 19:8 21:17 24:7 25:4 27:1 29:17 31:13 32:3 33:11 34:13 37:5 38:14 38:17 43:7,12,20 44:1,14,18,22 45:11 46:13,17,21 49:7,19 54:14,20 55:21 56:17,21 57:3 63:15 64:4 69:8 70:20 71:5 71:10 72:7,19 73:2,6,15 74:11 76:17 78:3,10,20 81:5 82:16 83:8 83:12 84:4 85:9 85:17 89:5 90:16 91:7 92:8 93:3 94:7,8,18,22 95:6 96:3,14 97:18 98:3 99:7,22 100:22 101:4 102:12 103:5,19 103:22 104:6,7 105:16,17 106:5 106:18 107:4 109:16,18 110:1 112:16,20 114:11 | 114:17 115:7 116:13 117:19 118:3,15 119:10 120:5,8,9,14,17 121:6 123:7 129:2 129:20 131:7,13 132:22 133:15 134:13 135:4,9 136:20 137:9 139:3 140:10 141:11 142:4,11 142:15 143:12 144:1 145:4 146:9 147:7 148:8,14,16 149:7,16 150:14 151:5 152:6,21 153:10,14,21 155:17 156:16 157:11 158:8,13 158:18 159:4 160:18 161:5 164:12,16,22 167:9,12,15 169:13 170:6,20 173:3 174:14 175:7 176:9,19,21 177:11,22 178:5 178:10 182:3 184:7 187:7 188:16 189:2 190:14,21 192:4 192:17 193:17 194:6 195:2 196:11 205:20,22 207:11 older 180:3 once 23:4 25:5 35:8 35:21 86:6 100:5 100:22 116:19 134:21 164:17 Open 8:3 130:5 205:12 206:4,9,12 207:16 opening 2:2,2 13:3 13:9 operation 7:8 105:4,6 191:2 | operations 6:4 105:15 opine 67:17 68:7 opinion 32:10 60:8 69:1 104:2 107:17 124:9 196:3 opportunity 81:11 110:2 114:20 116:6 122:21 128:10 129:15 203:14 opposed 133:4 opposing 67:10,16 123:12 124:10 oral 203:5 order 108:7 205:7 207:18 ordinance 63:5,9 198:22 199:6 outlining 6:20 outside 81:7,9 87:8 101:20 105:10 111:4,5,16,17,19 113:9,14,22 114:1 114:4,22 115:4 119:9 168:4,5 171:4 overall 167:2 168:15 overheard 99:16 overlooking 205:22 overstepping 146:17 owner 27:20,21 44:6,7,8 103:22 104:2 owner's 104:1 O-F 2:1 <hr/> P <hr/> P 162:4 packet 83:5 page 18:22 155:4,5 156:1,9 168:9 pages 154:21 paid 4:10 paper 163:8,11,19 | 168:14 paramedics 177:20 178:17 204:12,13 parameter 28:7 paraphrase 146:15 149:9 pardon 65:2 parsing 124:21 part 32:4 70:21 91:14 123:20 143:16 185:7 participated 19:13 particular 18:5 28:9,14 29:1,20 32:1 33:5 39:13 45:8 50:2 53:8 65:10 67:12 71:4 78:1 82:3 106:7 113:15 126:5 128:17 129:1 156:8 particularly 84:10 particulars 111:6 117:5 parties 3:19 12:11 15:1 16:14 party 200:17,18 203:12 passed 207:13 passes 133:5 patch 86:21 patient 20:6 24:6 34:15 35:22 37:12 37:14,16 53:8 patiently 105:9 patrol 15:20 20:1 69:12,14 patron 11:10,18 12:5 199:1,10 Patrons 63:5,9 198:22 paucity 81:19 pavement 20:19 22:7 24:14,15 pay 194:5 PD119 85:2 pedestrians 22:10 | 62:3 penalize 126:21,22 penalties 4:12 5:6 5:22 penalty 4:21 13:16 people 62:7 92:13 100:2 105:1,1,2 105:20 109:2 124:1,5 127:17 173:17 177:16 179:1 181:18 196:18 204:10,11 people's 197:21 Peraza 156:4 157:2 159:7 160:19 161:6,12,19 162:5 162:21 163:14 164:18 166:3,12 166:21 171:1 176:14,14 178:2 178:11,19 179:5 180:1 181:8 182:17 183:7,9 185:13,17 186:1,5 186:8 192:10 193:5 194:11 202:8 Peraza's 168:9 perfectly 106:9 period 4:18 93:21 186:17 perpetrated 26:15 202:10 perpetrator 82:1 person 23:17 25:8 25:10 26:14 31:6 31:9,10,11 42:5 42:14 46:3 47:12 51:1,6,10 53:20 76:7 84:11 94:3 95:7 145:10 160:3 160:5,21 164:2,3 171:16 172:4,11 172:21 175:5 181:13 195:13,16 195:18 202:11 personally 161:18 |
|--|---|---|---|--|

| | | | | |
|--|---|---|---|---|
| personnel 20:22 21:12 24:9,10 26:22 35:15,19 38:8 50:21 51:15 52:5 54:18 62:13 87:14 93:15 104:13 persons 72:14 160:4 180:12 person's 163:3 phone 33:19 36:6 36:13,18,21 37:3 39:19 40:22 44:6 44:8,17,19 49:20 52:14 91:9,11 108:5 112:17 135:3 141:14,15 146:13 147:18 150:10 174:1,8 177:20 178:17 181:14 184:21 203:1 photocopied 67:6 photograph 86:10 photographs 37:22 picture 127:2 128:3 piece 89:8 90:2 194:8 pieces 128:1 place 6:6 18:13 93:17 127:15 plan 1:14 11:14 12:3 14:10 121:12 126:2 132:5 143:8 148:12 171:19 198:8,13,15,19,20 200:1,7 203:20 204:5,22 plans 149:18 198:16 playing 104:22 please 14:19 15:16 17:20 18:21 41:15 60:17 93:9 153:2 point 10:18 24:22 31:21 38:4 65:18 77:10 90:3 101:3 | 106:19 112:8 114:4,20 120:3 123:5 125:15 135:15 138:11 184:12 196:21 198:19 police 2:18 11:21 12:4,22 14:9,12 15:20 16:2,4,18 17:22 23:16,21 28:11 29:2 32:14 33:17,18 35:10 38:20 39:14 41:17 66:11 69:10,17 83:7 84:22 85:2 85:14 90:13 91:5 91:6 101:8,17 122:4 125:5 126:1 126:16 128:16 132:6 134:22 144:19 145:10 149:19,21,21 150:4 169:8 179:2 179:2 184:2,4,5 192:11,19,21 193:2 194:2,15,15 194:17 195:10,16 196:8,9 197:1 198:10 199:4,5,16 200:4,9 202:2,9 203:7,20 204:4,7 204:16 poll 9:22 poorly 11:9 posing 110:12 position 14:6 136:21 159:16 160:9,12 possibility 97:20 126:18 possible 101:22 125:9 168:6 178:22 possibly 80:13 101:12 149:14 potentially 135:11 power 5:2 | practice 198:9 199:18 preceded 11:22 precedes 83:9 precise 186:20 preferred 198:9 preliminary 3:17 10:20 premises 74:14 81:12 105:21 168:3 200:14 203:17 prepared 62:14 121:12,17 131:19 132:12,12 133:22 135:8 143:11 145:13 149:4 190:1 preponderance 12:7 197:16 present 1:21 3:20 157:9 presented 3:21 12:16 65:11 70:22 82:19 121:4 presiding 1:19 pressed 77:19 presumably 52:16 75:16 76:9 77:18 78:14 presume 78:19 103:21 presumed 129:8 pretty 60:9 91:16 183:1 201:2 prevented 90:20 previous 183:21 primary 5:12 prior 5:18 28:22 35:9 36:8 72:9 140:4 141:13 150:3 probably 26:15 83:20 85:22 97:19 160:20,21 172:9 172:13,18 185:5 189:22 | problem 33:11 40:10,16 59:3 66:4 103:13 134:2 136:7,9 140:2 184:8 procedure 28:10 proceed 120:15 proceeded 75:17 77:19 78:17 proceeding 4:17 13:15 process 67:6 186:8 produce 42:19 203:1 profane 64:10 199:3,13 professional 138:5 148:1 196:3 prone 169:21 172:3 propensity 203:7 properly 11:15 proposed 132:9 prove 193:19 194:9 195:8 196:5,10 197:14 provide 11:17 27:19 28:1 57:21 84:6 85:2 108:3 provided 44:6 57:19 66:13 67:6 73:21 74:4 78:5,6 78:6 103:16 111:18 provision 199:15 200:3,6 provisions 12:10 63:8 198:22 199:6 proximity 113:5 psychologist 196:16 pull 116:15 pulled 104:11 115:21 116:1,3,22 pumping 81:3 punishment 14:1 purported 56:9 61:20 63:16 66:2 | purpose 1:14 8:6 11:8 41:3 130:8 206:6 purposes 4:12 5:19 147:9 pursuant 132:9 207:16 push 24:13 pushed 20:18 21:1 21:5,13,21 31:12 38:2 40:6 76:8 87:18 195:17,18 pushing 22:6 34:13 46:4 put 7:15 31:1,10 32:12 47:7 60:7 88:15 100:1 102:5 121:12 128:11 163:18 197:7 puts 163:18 putting 133:7 147:20 P-R-O-C-E-E-D-... 3:1 p.m 3:2 9:11,12 119:11,12 131:11 131:12 207:21 |
| Q | | | | |
| qualified 196:17 question 22:14 34:19 47:22 48:2 57:10 59:4,5 60:3 61:13,15 65:7 67:13 68:1,12,13 69:4 70:20 72:2 77:5,7,8 89:6,13 91:21 96:21 97:10 98:6 110:9,13,22 115:15 124:19 125:10 126:12 143:6 146:21,22 147:2,5 149:17 158:3,5 160:7 166:20,20,22 177:4,14 178:6,19 179:20 180:8,11 | | | | |

| | | | | |
|---|---|--|--|---|
| 183:4,11 188:17 188:18 questioned 59:22 questioning 67:11 162:21 questions 6:9,11 7:18 45:12 78:21 85:18 92:6 93:2,8 110:5,12 114:21 118:12 121:14 122:8,16 124:12 128:11 139:5 140:11,14 142:16 143:21 145:5 148:22 150:15,18 152:3 157:17 159:3 166:5 167:14 169:14 176:22 179:7 180:6,12 181:9 182:4 187:10 190:15 193:9 quick 96:21 98:5 150:19 quite 6:22 14:5 58:9 60:1,3 140:19 182:22 200:9 | 182:10,11,14 184:13,14 185:18 189:21 205:6 reading 56:6 64:19 65:15 68:19 70:22 90:14 182:20 190:16 195:7 204:5 ready 120:15 190:16 193:12 real 150:19 reality 14:2 realize 23:5 88:1 125:11 really 48:1,15 53:17 60:2 63:9 81:3 145:2,2 159:1 178:20 185:2 198:4 reason 21:22 24:13 25:22 40:6 50:1,6 50:6,10,12 53:11 63:16,19,21 64:5 64:10 108:1 109:5 144:16 147:17 150:6 163:15,20 171:5,7,10 181:7 193:21 206:11 reasonable 77:16 113:5 195:7 204:9 reasons 6:7 84:3 rebut 122:22 128:10 recall 27:16 34:2,5 42:2,13 44:5 86:20,20 87:1 95:14 96:1 119:19 135:15 136:1,12 137:18,19 138:15 143:17 145:15,17 165:13 173:10 receive 135:13 186:4 received 2:11 20:2 54:9 57:14 83:5 98:8,13 120:12 135:13 136:12,13 | 141:12,14 146:3 155:21 186:6 recognized 115:18 recollection 32:15 117:12 137:19 145:13 148:9 182:16,18,20 184:12 recommend 131:21 198:10 record 9:12,14 12:13 15:7,17 46:21 90:7,10 95:1 119:12,14,16 120:2,6 123:5,17 124:2,20 128:11 131:12,14 132:4 134:3 153:2 167:17 195:1 recounted 46:3 recross 2:5 118:12 150:16 recusal 125:14 recuse 125:7 126:3 126:5 redirect 2:5 118:16 118:17 190:17,19 190:20 Reeves 1:18 refer 30:18,22 reference 22:21 32:15 80:10 97:20 134:15 referring 29:21 103:14 179:14 180:21 185:12,17 reflect 119:16 reflects 126:18 refresh 135:11 149:5 180:22 181:3 refuse 53:5 refused 78:1 90:18 176:7 189:9 regarded 101:3 regarding 150:3 regrettable 7:2,15 | Regulation 13:1 regulations 200:3 regulatory 141:7 relate 4:8 122:17 122:18 123:6 125:21 128:15,22 related 27:21 76:15 114:21 115:15 125:5 relates 4:5 65:13 124:22 relating 3:22 4:2,17 relation 48:21 relatively 135:16 relayed 200:19 relevance 29:8 31:4 162:10 Relevancy 67:21 relevant 32:2 66:3 75:20,22 76:3,4 76:18 122:9,18 124:20 125:6 126:13,20,21 127:1,8 128:21 129:17,18 162:13 200:7 reliability 201:7,7 reliable 203:22 relied 204:1 rely 201:5 remained 89:4 remember 41:17 107:12 148:17 149:1 remembered 104:10 remind 13:19 reminded 125:17 repeat 47:22 57:10 68:12 74:1 79:11 178:4 rephrase 69:4 147:6 report 2:17,18 14:21 16:18,21 17:11 18:2 27:17 30:17,22 39:14 | 40:1 41:7,10,11 41:17 42:20 43:1 43:4,8,11,13 46:22 47:2,7 55:2 55:19 56:13 62:13 62:15 64:15 66:11 66:13,14,19 67:3 67:9,12,15 68:15 71:13 73:1 83:2,7 83:14,16,18,19,21 84:7,13 85:11,11 96:22 97:8 119:18 120:22 121:2 123:3,18 135:8,10 142:22 143:2,10 148:11 150:20,21 151:12,18 154:17 156:14,19,22 157:12 163:14 166:3,7,9,13 167:16 170:22 178:11 185:8,12 185:16,22 186:1,4 186:22 187:1,3 188:7,8,9,13,15 189:20,21 191:11 194:17 200:8 204:14 reported 24:11 147:13 reports 41:5,8 165:19 185:10,15 186:7,9 187:4 188:19 191:1,8,10 representative 101:7 146:3,10 147:12 request 102:6,20 104:15 106:13,13 106:16 107:20 113:8,10 123:13 123:14,15 124:13 164:21 165:4 199:5 requested 23:3,8 23:11 39:1 186:21 requesting 109:15 |
|---|---|--|--|---|

| | | | | |
|---------------------------|----------------------------|---------------------------|----------------------------|---------------------------|
| 138:8 | 15:9 17:17 35:3 | 44:1,10,14,18,22 | 195:16 199:20 | 126:2 132:5 143:8 |
| requestor 165:1 | 42:18 46:2,6 51:9 | 45:2,5,11 65:17 | 204:10 | 148:12 149:18 |
| required 126:2 | 51:19 52:6,15 | 65:21 66:8,12,18 | saying 28:15 29:21 | 154:18 159:9,10 |
| 132:6 | 53:21 55:8 58:1 | 67:2,16 68:5,21 | 65:6 68:4 87:2 | 159:13 164:4,8 |
| requirement 14:8 | 60:12 61:7,18 | 75:18 76:1,19 | 94:21 100:14 | 171:19 172:20 |
| resorted 81:13 | 62:6 63:3 66:22 | 97:9,12,16,22 | 111:8 150:10 | 173:16 189:12 |
| respect 8:8 66:2 | 69:13 72:13 75:12 | 118:17 119:3,4,8 | 153:19 196:9 | 198:8,13,15,16,19 |
| 83:13 121:16 | 78:13,18 92:12 | 119:15 120:1,8,20 | says 150:20 168:10 | 198:20,21 200:1,7 |
| 124:11 203:9 | 98:3 107:19 | 123:9,11 140:16 | 178:15 180:5 | 202:10,18 203:19 |
| respond 20:3 23:16 | 109:13 114:2,6 | 140:16,19 141:4,8 | 181:16 194:11 | 204:5,22 |
| 24:4 27:19 33:14 | 115:10,20 134:9 | 141:11,18 142:1,4 | 198:20 200:4 | see 26:1,5,8,11 |
| 34:14,18 38:3 | 135:21 136:11 | 142:8,11,15 | 203:11,12 204:3 | 31:22 32:20 55:3 |
| 39:2 41:6 110:22 | 140:3,20 147:21 | 146:19 151:6,7,11 | scan 38:13 | 55:4,5 65:9 66:6 |
| 112:6 121:10 | 152:8 153:22 | 151:15,20 152:3 | scene 20:14,21 | 74:21 80:10 84:1 |
| 186:12 | 154:5,20 155:12 | 155:3,16 158:20 | 25:19 26:11 32:19 | 84:7 86:12,16,19 |
| responded 20:12 | 157:16 161:15 | 159:2,5,7,12,17 | 33:14,21 35:8,10 | 87:3 89:16 104:15 |
| 22:13 26:1 33:19 | 171:21 177:14 | 159:19,22 160:6 | 35:21 44:5,13 | 112:13 124:4 |
| responding 107:20 | 191:9 192:12 | 160:13,16,18 | 51:8 54:8 56:20 | 179:3 |
| 110:4 | 195:11 | 161:2,5,11,17 | 56:22 57:20 72:10 | seeing 104:10 |
| response 35:5 | right-hand 55:18 | 162:1,7,12,17 | 78:2 80:1 81:1 | seeking 8:6 130:8 |
| 36:10 92:5 141:10 | ring 191:7 | 163:1 164:12,16 | 84:9 85:1 86:7,19 | 206:6 |
| 169:9 183:3 | rise 6:21 7:3 13:14 | 164:22 165:6,10 | 87:7 93:11,20,22 | seen 65:4,12 129:9 |
| responsibility | 122:2 | 165:15 166:2,8,11 | 94:7 104:7,11 | 162:7 163:8,19 |
| 203:19 | Rivero 3:12,13,18 | 166:19 167:9,12 | 116:22 145:10 | 181:17 191:10 |
| responsible 19:1 | 6:18 7:13 10:22 | 188:5 192:6,16,18 | 147:16 | 194:13 |
| 171:18 | 11:1 14:18 15:13 | 193:1,4,8,15,18 | scenes 69:22 | Send 204:12 |
| rest 12:13 95:9 | 15:16,22 16:6,12 | 205:18 | schedule 5:10 | sense 91:15 184:9 |
| 103:7 108:4 | 16:22 17:4,7,10 | Rivero's 7:7 | scope 52:22 131:20 | 196:8 |
| 120:19 122:1 | 17:17 18:3,8,12 | Rodrigo 55:9,11,13 | 132:14 | sent 23:15 |
| 195:14 | 18:17,21 19:5,8 | 56:15 66:21 | scout 101:19 | sentence 40:12 |
| restraint 86:8,22 | 19:13,16,20 20:7 | 195:19 | 109:16 | separate 32:9 |
| restraints 86:11 | 21:1,10,17 22:3 | roll 8:14 206:17 | second 8:11,12 | sequence 88:22 |
| rests 121:5 | 22:18,22 23:7,10 | room 1:18 207:15 | 9:19,20 18:22 | series 96:22 |
| result 128:11 | 23:18 24:1,7,17 | rough 100:1 | 130:12,13 132:19 | serious 96:17 |
| Retailer 1:12 | 25:4,10,13 26:3,7 | rubbing 163:11 | 132:20 155:4,5 | serve 189:9 |
| retrieve 73:14 | 26:17 27:1,8,22 | rules 201:1,3,4 | 200:18 202:7 | served 13:21 |
| retrieved 191:21 | 28:18 29:3,10 | run 20:3 | 206:14,15 | service 53:5 82:5 |
| reveal 83:21 | 30:14 31:9,20 | runaround 81:8 | secondary 4:11 | 118:22 |
| review 143:4 | 33:15 34:1,17,21 | Ruthanne 1:19,22 | 5:19,21 | set 5:7 68:14 70:4 |
| reviewed 64:14 | 35:5,11,16 36:1 | | seconded 206:18 | 76:15 201:8 |
| 65:8 68:14 | 36:10,15,22 37:2 | | Section 8:2 130:4 | seven 9:8 10:17 |
| reviewing 65:10 | 37:5,8,13,18 38:7 | | 132:7,10 205:11 | 133:5 207:12 |
| revoke 5:3 | 38:14,17,21 39:4 | | 206:3,8,12 | severity 33:6 87:3 |
| Reyes 55:9,12,13 | 39:15,20 40:11,19 | | security 1:14 11:13 | 99:2,3 100:20 |
| 56:16 66:21 88:14 | 41:1,15,20 42:1,5 | | 11:15,19 12:2 | 101:1 109:11 |
| 88:21 89:9 195:19 | 42:7,10,14,18,22 | | 14:10 84:3 117:16 | Shannon 2:6 12:21 |
| right 6:11,17 9:9 | 43:3,7,12,16,20 | | 118:6 121:12 | 15:19 97:17 |

| | | | | |
|-----------------------------|----------------------------|----------------------------|---------------------------|----------------------------|
| shift 133:22 | 64:18 65:1 69:15 | 25:7 27:6 36:7 | 137:20,22 187:12 | states 164:20 |
| shifts 173:16 | 69:18 81:7 98:19 | 46:20 66:15 80:9 | 187:17 188:19 | 177:12 |
| shirt 21:15,16 | 99:6 101:9 109:10 | 81:9 102:6,16 | 198:21 200:10 | stating 26:14 |
| 26:12 117:6,10,22 | 112:11 115:5 | 104:2 105:10 | stage 31:22 | 178:11 198:18 |
| 118:1 | 134:5,8,17 135:7 | 106:14 107:21 | stand 133:8 152:15 | station 94:20 |
| short 96:22 | 143:1,5,17,19 | 110:2 111:9 | 203:8,9 | stationed 171:20 |
| shortly 131:10 | 144:13 146:7 | 113:21 126:9 | standard 201:7,8 | 172:8 |
| 178:18 | 151:1,19 | 166:2 173:9 182:1 | standing 21:18 | statute 200:2 |
| show 1:10 3:16 | sit 153:6 | 192:14 | 116:4 117:1,6 | stay 86:4 |
| 11:4 12:9 16:13 | sitting 81:6 101:19 | speaking 41:2 | standpoint 138:5 | stayed 106:21 |
| 23:1 54:20 154:6 | situation 29:1,9,9 | specific 102:7 | stands 181:6 | 107:1 |
| 192:7 | 29:13 30:7 98:12 | 110:9 114:21 | start 111:8 194:7 | stemmed 139:18 |
| showed 24:8 34:1,4 | 104:4 109:12 | 154:18 159:14,15 | 205:21 | step 111:16 119:8 |
| 34:6 39:5 41:16 | 111:10 164:4 | 160:7,9,12 167:4 | started 105:20 | stepped 47:15 48:3 |
| 135:10 195:14 | 204:2 | 170:7,14 193:21 | 133:21 | 48:7 87:14,16 |
| showing 41:9 | situations 29:12 | 193:21 | starting 198:18 | 111:17 139:10 |
| shut 61:8,16 105:15 | slips 39:22 | specifically 35:16 | state 15:17 30:15 | steps 102:14 |
| sick 183:1 185:2 | slowness 147:10 | 98:22 102:10 | 38:1 76:9 145:9 | Stewart 2:6 133:9 |
| side 112:18 177:19 | smelled 87:19 | 146:12 165:14,17 | 153:1 182:16 | 133:10,14,18,19 |
| 178:16 179:11 | smoking 194:8 | 165:20,22 166:6 | stated 21:4,12,22 | 134:5,8,11,17,20 |
| 180:2,10 181:12 | somebody 29:22 | 167:3 168:13 | 29:5 35:7,12 | 135:6,14,20 136:2 |
| 204:2 | 32:12 75:10 91:5 | 176:14 182:21 | 49:14 74:9 145:17 | 136:6,15,17,22 |
| sides 139:20 | 136:14 163:17 | 183:4,14 | 149:1 157:12 | 137:3,12 138:12 |
| sidewalk 40:15 | 164:7 172:3 | specifics 166:16 | 179:6 181:10 | 138:16,21 139:8 |
| 59:17 62:4 169:21 | somewhat 115:15 | specified 204:7,9 | statement 2:2,2 | 139:14,19 140:7 |
| 172:3 180:5 | soon 9:9 169:11 | specify 128:22 | 13:4,9 55:6,9,14 | 140:22 141:3,6,9 |
| 204:11 | 173:8 | spite 94:14 | 56:2 57:12,22 | 141:17,21 142:2,6 |
| sign 85:5 163:21 | sorry 8:8 13:6 | spoke 24:8 28:21 | 58:2,4 66:20 68:2 | 142:10,13,21 |
| signatory 162:21 | 20:10 34:20 66:7 | 37:7 40:20 41:12 | 71:4 78:15 85:3 | 143:1,5,9,15,19 |
| signature 162:2,8 | 75:18 84:18 95:17 | 41:18 42:2 45:21 | 155:6,14 156:2,4 | 144:4,7,12,17 |
| 163:3,9,20 | 95:20 96:3 98:10 | 46:16 49:19 58:15 | 157:21 158:6 | 145:11,16 146:6 |
| signed 52:11 | 113:1 140:17 | 76:6 184:21 | 168:9 180:20 | 146:14 147:9,17 |
| 201:17 203:4 | 143:3 144:10 | 202:22 | 182:11 183:22 | 148:2,7,13,17,19 |
| Silverstein 1:24 9:1 | 146:20 153:11 | spoken 161:18 | 184:20 185:6 | 149:2,10 150:1,7 |
| 9:2 10:10,11 31:7 | 154:13 157:20 | 183:11 | 192:9,9 194:10 | 151:1,9,13,19 |
| 79:2,3,8 80:6 | 158:17 175:8 | stacie 95:13 136:17 | 195:19 201:14 | 152:1,8 196:16 |
| 81:17 82:4 118:21 | 186:19 187:19 | 136:19 138:4 | 202:8 204:8 | stipulated 12:11 |
| 127:12,13 131:1,2 | 190:7 | 139:22 141:1,19 | statements 30:17 | 15:1 16:15 120:3 |
| 163:10 207:5,6 | sort 104:17 116:14 | 165:7,11,15 167:5 | 30:21 31:2 52:11 | stood 104:21 |
| similar 185:11 | 145:14 | 167:22 168:22 | 56:9,10,12 57:13 | stop 36:7 137:6 |
| simple 38:5 125:22 | sounded 144:17 | 174:10,12 177:5 | 67:18,20 71:14 | stopped 22:11 62:5 |
| simply 122:4,13 | 145:2 | 179:17 180:16 | 79:12 84:12 85:6 | 105:20 |
| sir 15:15,18 17:21 | sounds 180:2 | 181:10 182:11 | 123:2,20 124:2,5 | story 46:3 175:9,11 |
| 18:19 19:22 33:7 | Spain 19:4 20:1 | 183:13,14 | 126:14 127:3 | 175:13 |
| 41:19 42:4 45:19 | 24:20 41:9 43:5 | staff 11:15,19 | 184:9 196:13 | street 1:19 40:5 |
| 46:8 48:6 53:16 | 57:4 62:15,17 | 103:7 117:16 | 197:19 201:17 | 49:15 175:5 179:4 |
| 59:18 61:11 62:18 | speak 10:1 20:15 | 118:6 136:9 | 203:4,5 | 181:19 |

| | | | | |
|--|--|---|--|--|
| stressed 185:3 stretcher 94:5 string 204:19 stuff 194:4 submit 195:3 203:15 204:19 submitted 185:9 191:14 submitting 14:20 subsequently 22:6 123:21 substantial 13:20 sudden 105:11,21 suffered 86:3 sufficient 4:19 203:16 suggest 90:15 129:10,12 suitable 117:16 summarized 188:15 summary 4:16 6:3 7:3,10 12:14 13:15 supervising 11:9 supervisory 133:9 134:7 147:8 support 77:2 supported 78:15 suppose 68:6 129:8 164:5 196:5 197:18 198:5 sure 46:11 52:18 75:9 82:6 86:4 93:21 95:15 96:1 100:12 103:19 105:18 107:22 108:2,20 109:2 125:14,15 135:1 138:19 144:3 149:5,8 155:12 163:2 165:18 170:16,16 171:15 172:13 177:15 178:7 183:15,17 188:12 192:14 200:15 | surrounding 32:21 115:13 suspend 5:2 suspended 4:15 suspension 4:17,19 5:1 6:3 7:3,10 12:14 13:15,20 sustain 203:16 sustained 86:14 90:21 sway 106:9 swear 15:10 133:11 152:17,17 sworn 52:11 133:11 201:17 203:4 system 41:7 | 72:6 79:9 95:4 111:7 133:12 135:7 137:2,11 144:18,22 146:7 147:11 148:9 149:4 152:17 154:15 165:16 173:3 178:21 183:19 189:1,3,13 190:4,8 192:18 194:4 telling 33:1 80:18 89:2 96:5,12 99:18 106:4 144:19 Ten 16:9,10 138:16 tense 140:8,9 tension 139:13,18 196:17 term 149:12 terms 6:19 14:2 48:9 70:4 110:4 121:19 122:11 127:1 128:19 135:12 137:9 139:5 143:8 test 201:18 testified 34:22 42:19 47:18 52:17 57:13 123:1 140:22 141:20 testify 52:20 56:19 56:22 57:7 72:4 75:5,10,11 78:8 100:13 158:12 188:11 201:16 202:20 testifying 31:16 71:22 testimonies 190:2 testimony 12:8,12 12:13,16,18 14:4 15:2 45:22 50:2 50:18 52:3 56:10 61:19 66:22 88:21 89:9 98:8 121:4 125:20 131:17 | 132:13 177:5,8,9 194:3 201:12,14 202:14,15 203:22 Thank 7:15,17 9:10 11:1 14:16,17 16:11 17:17 32:8 42:1 55:21 64:18 67:1 74:5 78:22 79:3 82:4,5,6 91:7 92:21 96:18,19 99:7,8,11 118:9 118:10,17,20,21 119:1 121:6,8 129:2,20 133:15 140:10 143:18 145:4,18,19,22 148:14,15 151:4 152:5,6,9,10,21 157:16 158:13,20 169:16 176:20 177:2 182:5,8 187:7,8 190:12 192:5 193:8,10 197:21 198:1,2 205:3,4 207:20 Thanks 120:8 themselves 125:7 126:3,6 thing 6:18 50:22 73:15 83:6 86:6,9 90:13 94:2 108:3 124:4 143:13 158:9 195:4 197:15 198:4 things 67:19 138:8 151:16 167:6 169:1 think 6:18 7:19 31:4,14 48:12 65:17 70:11 71:21 77:3,4 81:1 104:3 118:1,12 126:6,18 126:20 127:1 129:4 131:22 132:17 136:22 137:14 138:1 139:19 143:7 | 146:16 149:9 165:20 175:10 181:4 182:1 184:1 184:3,4 188:6 190:15 193:13 204:9 205:5 thinking 53:14 thinks 68:2 131:19 146:21 third 200:16 203:12 thorough 28:8 94:16 thoroughly 94:15 thou 200:4 thought 96:4,4 105:19 158:2 192:22 threat 200:13 threatening 149:12 three 100:11,12,14 102:13 105:12 107:11 135:16,18 144:13,14 177:13 177:19 178:16 179:11 180:9 181:11,20 193:16 threw 29:6 189:10 tier 5:12 time 3:21 6:9 7:1 12:17 14:5 15:3 16:16,17 17:1,3,4 17:11 19:12 20:2 27:10,17 30:20 31:3 33:5,12 34:6 34:14 44:8 45:12 53:15 54:18 78:22 81:9 87:12 93:22 96:1 103:18 106:4 108:5 109:22 116:18 124:3,8 135:4 137:1 138:2 138:20 140:20 157:6 161:10 184:13 186:6,16 186:17 189:14,16 189:16,16,19 |
|--|--|---|--|--|

| | | | | |
|---|--|--|---|---|
| 190:1 192:11,19 192:21 193:2 197:5 timely 200:10 times 147:2 150:10 179:3 187:5 title 5:3 55:16 today 9:15 11:2 12:19 14:3,7,15 31:19 52:17,20 65:5 76:5,21 121:10,21 124:18 131:18 135:8 161:12 190:2 191:14 193:19 205:5 207:16 told 21:12 27:14 31:17 33:13 35:19 36:13 38:11 51:1 51:2,20 52:3,5,5 54:10 59:19 61:4 61:8 70:11,15 87:18 92:1 95:9 95:18 102:16 104:12,13 107:14 109:7,8 111:3 112:18 139:17 165:18,20 167:2,4 169:11 175:22 180:17 183:6,14 188:11,22 189:5 189:17 200:20 202:9 tonight 205:6 207:16 totally 115:16 trading 3:5 11:3 training 19:11 20:2 41:8 47:3 transpired 33:22 39:9 41:14 53:9 89:13 93:21 94:3 111:6,10,19 113:2 transpiring 141:13 treated 5:20 21:5 treating 37:22 38:10 | treatment 54:5 86:5 tree 181:8 trial 76:20 77:1,3 tried 40:16 90:19 91:1,3 94:12 182:2 185:5 triggered 203:19 trouble 153:13 true 13:13 54:7 64:20 65:13 67:19 67:20 68:2,6 76:12 157:12,21 158:7 197:6 trust 127:8 128:2 truth 15:10,10,11 50:3 133:12,12 152:17,18,18 197:12,14 try 32:18 34:10 115:3 121:21 161:16 170:10 193:15 trying 32:22 81:3 88:14 92:4 106:6 107:21 109:21 111:20 127:2,15 137:7,21 139:22 158:21 162:13 167:7,10 172:15 179:22 180:13 195:8 turn 18:21 138:2 177:16 180:11 turned 40:9 77:12 100:19 109:10 Turning 134:13 two 3:21 13:17 14:6 29:11 34:6 97:7 119:7 131:8 135:12,16,18 144:4,12,14 147:2 154:20 160:4 161:21 173:11,13 184:8 two-minute 119:5 two-page 163:4 | type 28:5 41:5,6,7 41:10 86:12,14,21 87:20 88:3 typing 41:11 Tyrone 12:22 194:16 T-A-B-L-E 2:1 t/a 1:10 <hr/> U <hr/> uh 184:18 ultimate 129:19 ultimately 52:7 Um-hum 113:3 142:1 unaware 53:8 uncommon 150:13 unconscious 22:9 24:16 40:18 76:7 76:8 uncontroverted 195:9 uncooperative 28:15 81:5 undergo 38:12 understand 33:8 58:7 68:1,18 88:14 92:5 101:6 109:11 121:15 123:13 131:16 151:21 182:2 191:15 203:6 understanding 65:5 139:21 170:9 170:9 understood 103:15 103:20 104:5,14 105:7 108:6,12,15 114:13 115:14 116:17 117:3 144:3 173:19 Unfortunately 67:4 uniform 101:10,12 109:16 117:20 118:5 unlawful 1:13 11:8 90:15,19 | unlawfully 91:2,3 unnamed 185:21 unrelated 31:18 Unruly 63:4,8 198:22 upper 55:18 upset 144:18,18 189:11 upstairs 102:14 107:11 use 110:10 usual 107:3 usually 170:12 utilize 85:7 <hr/> V <hr/> v 201:8 vacate 81:12 vacated 74:14 vacating 105:20 value 200:16 various 123:19 185:15 veracity 127:2 verbatim 79:12 148:20 149:3 victim 23:9 46:4,5 48:10,19 49:9,11 50:13 54:11 59:17 63:17 75:15 87:7 90:18 180:10 181:7 204:14,15 victim's 86:1 view 15:2 64:22 65:3 132:11 violated 12:2,9 Violating 11:13 violation 4:6,9 11:11,22 12:5 14:4,10 80:17 132:7 143:8 198:7 violations 4:11,12 5:3,9,11,13,18 6:5 13:17 14:2 violence 198:12 200:13 203:17 violent 63:17,19 | 199:2,11 vomiting 185:2 vote 8:15 9:8 10:16 130:15 131:8 206:17 207:12 <hr/> W <hr/> waited 104:22 waiting 105:9 107:10 waive 6:17 205:14 205:16,19 waiving 205:17 walk 9:10 108:18 walked 22:1,2 88:19 107:7,8 108:8,17 195:21 walkie 104:16 walkie-talkie 108:20 walking 20:17 21:21 22:11 40:5 40:15 49:15 62:3 walks 112:16 want 6:12,18 9:14 13:6 17:2 25:16 25:20 26:7 33:12 35:11 54:20 82:10 84:7 90:6 100:11 106:6 114:22 119:7 120:2 122:16 124:15 128:5 129:6 132:3 144:2 149:12 167:8,16 170:14 172:12 177:3 181:2 192:7 197:3 203:7 205:14,15 wanted 30:2 36:3 80:16 101:15 119:15 139:21 146:15 147:15 148:11 150:12 163:1 wants 10:1 warning 85:6 warrant 80:16 |
|---|--|--|---|---|

| | | | | |
|---|--|--|---|---|
| Washington 1:19 18:7 wasn't 29:21 38:5 47:16 48:2,7 50:17 53:22 56:22 58:10 64:2 78:5 86:11 88:16 98:9 98:13,17 107:22 108:1 109:1 110:11 143:16 156:18 158:12 160:15 161:13 170:15 173:5,11 180:11 181:17 water 11:17 59:16 168:22 189:10,11 waved 100:14 101:5 way 50:1,8 52:1,2 53:11 64:6 92:9 101:12,14,22 106:9 108:22 109:19 123:4 126:19 164:6,9 168:6 204:22 weight 132:16 162:18 welcome 126:9 went 26:6,19,20 27:2 37:17 42:19 80:9 85:22 89:22 94:11 98:11 104:21 108:22 111:9 112:1 113:15,16,18 114:14 116:15 117:2 125:11 137:20 182:22 weren't 53:13 129:12 131:18 156:17 we'll 17:7 69:6 127:9 131:9 150:10 194:7 205:16 we're 124:6 131:13 144:20 150:7,11 | we've 120:6 124:6 195:12 204:11 whatsoever 49:1 58:19 59:9 202:5 white 115:16 117:10 wide 128:19 Williams 2:6 12:21 15:4,9,12,14,18 15:19 16:1,3,9,12 17:18,21 18:5,9 18:14,19 19:3,7 19:10,15,18,22 20:10 21:3,11,18 22:5,20 23:2,9,13 23:20 24:3,10,19 25:5,12,14 26:5 26:10,19 27:2,10 28:2,19 29:5,16 29:19 30:5 32:8 33:17 34:3,20 35:3,7,14,18 36:3 36:12,16 37:1,4,6 37:10,15,20 38:9 38:16,19,22 39:7 39:17,21 40:13,21 41:4,16,19,22 42:4,6,9,13,16,21 43:2,5,10,14,18 43:22 44:4,12,16 44:20 45:1,3,6,17 45:18,20 46:1,7 46:11,15,19 47:1 47:5,8,10,17,21 48:6,12,16,20 49:2,5,10,14,21 50:4,9,15,20 51:3 51:7,12,17,22 52:4,9,13,18,21 53:3,7,16,19 54:1 54:6,12,15,19 55:4,7,11 56:3,7 56:14,18 57:1,6 57:15,18 58:5,11 58:13,16,20 59:2 59:6,10,13,18,21 60:2,13,18,22 | 61:3,10,14,22 62:8,11,17 63:1,6 63:12,18 64:1,8 64:13,17,22 65:3 69:11,15,18,20 70:2,6,19 71:3,6 71:17,19 72:4,12 72:16,18,21 73:3 73:9,13,19 74:2,9 74:13,18,22 75:4 75:8 77:6,11,14 77:21 78:8,12,19 79:4,7,11 80:8 81:21 82:6,8,9,12 82:15,18,22 83:4 83:11,17 84:2,5 84:16,20 85:13,21 86:2,18 87:9,13 88:6,9,12 89:3,11 89:18 90:12 91:10 92:11,16,19,22 93:9,14 94:9,19 95:5,7,14,19,22 96:7,11,15,19 97:3,5,6,13,15,17 98:7,10,15,19 99:1,5,21 100:4 101:2,9,14,18 102:3,9,13,22 103:3,8,11,16,21 104:6,20 105:5,8 105:17 106:3,17 106:20 107:2,6,9 107:22 108:8,13 108:16 109:5,14 109:19 110:6,17 110:19 111:2 112:21 113:3,7,11 113:16,20 114:2,6 114:9,16,18 115:3 115:8,11,20 116:2 116:9,11,14,21 117:4,14,18,21 118:7 119:1 135:22 137:16,20 138:4,19 139:7 140:1,6 141:19 | 144:5 188:4,6,10 195:13 196:3 199:8,9 200:19 wish 149:3 withdraw 135:11 witness 13:6 15:3 21:3,12,22 24:11 31:16,20 35:2,4 39:18 40:2,13,20 41:12,14,18 42:2 45:12 46:14,16 47:15 48:3,7,13 48:19 49:3,4,18 50:16 51:2,4,20 60:5,5 61:21 62:1 62:12,22 64:2 67:11,17,19 71:4 71:14 72:22 76:5 76:14,16,16 78:15 78:21 83:15,19,22 85:3 93:16 94:10 94:12 97:16 121:3 134:1 140:12 146:20 147:1 152:5 157:18 159:21 160:1 195:15 200:18,19 204:8 witnessed 30:10 34:13 35:20 40:4 49:5,16,16 62:4 witnesses 2:5 12:8 12:20 20:20 46:10 46:18,20 61:20 62:10 79:22 81:20 85:1 93:13 94:6 119:3 121:20 122:22 129:16 133:7 woman 60:21 wondering 80:15 97:15 word 103:6 words 165:18 167:4 work 43:4,19 44:2 104:9 135:3 151:17 161:9,10 | 161:15 173:17,18 worked 161:18,21 working 11:20 25:9 25:18,21 26:12 27:13,18 74:21 87:15 112:1 114:15 117:13 134:10 159:10 160:22 170:17 172:14 worry 80:20 105:13 109:8 wouldn't 46:7 51:12 54:4 57:6 63:9 71:18 73:11 75:4,6 90:22 118:7 128:16 171:5,7 wound 86:3 woven 204:18 write 19:5 42:22 43:4 151:11 163:15,17 164:5 166:5 186:21,22 187:1,3 written 43:13 66:20 124:5 158:6 163:14 186:13,16 wrong 40:15 184:14 wrote 43:8,10 57:16 90:14 151:2 163:8,19,22 164:5 164:10 182:21 184:10 |
| <hr/> | | | | |
| Y | | | | |
| Yeah 82:3 173:15 184:18 186:18 188:22 year 195:6 years 16:5,9,10 141:7,8 161:21 young 60:20 107:18 | | | | |
| <hr/> | | | | |
| Z | | | | |
| zero 9:8 10:17,17 | | | | |

| | | | |
|---|---|--|--|
| 67:20,21 133:5 196:9 207:12,12 | 17 2:18,18 190 2:9 192 2:9 193 2:3 198 2:4 | 129:11 185:10,10 185:14 186:2 201:13 202:13 3:40 150:21 32 4:16 | 9 9 4:3 12:3,20 14:5 18:15 19:18 134:10 156:6 184:11 9th 154:1 157:9 173:8 90 207:18 911 22:12 40:3 46:12 47:13 62:2 167:5,17,19 168:2 168:10,17,22 169:4,9,12 171:11 171:16 172:19 176:15 178:12,20 182:18 183:7,15 183:20 184:16 194:11 199:20 204:3,3 |
| P p 1:6,15 | 2 2 2:15 4:7 11:13 12:12,17 15:1,6 30:16 54:22 55:2 55:20 67:10 68:16 96:21 119:17 120:12,21 156:1 168:9 201:12 206:10 2D 38:3 39:2 2nd 15:21 40:22 41:3 42:19 201:10 2:35 18:16 2000 1:18 2001 4:7 5:5,8,14 2010 4:3 6:22 8:3 12:3,20 14:5,22 18:15 19:19 130:5 134:10 154:1 156:6 157:9 164:2 164:2 184:11 206:4,9,13 207:17 2011 4:1 7:2 11:11 11:14 12:15 13:14 2012 1:16 23 5:10 25 1:16 5:3,4 11:11 132:7 25th 130:11 25-823(2) 4:6 25-823(6) 4:9 12:1 12:5 132:10 25-830(c)(1) 5:14 25-830(f) 5:8 251 18:1 251-00146 4:18 27 4:1 11:11,14 12:15 | 4 4 201:15 4:33 3:2 4:42 9:11 4:51 9:12 405 8:2 130:4 205:11 206:3 405(b)(13) 206:12 405(b)(4) 206:8 45 2:6 | 5 5 83:9 178:15 179:15,16 180:20 182:10,17 201:16 203:3 5:00 196:11 5:04 194:18,19,22 195:4 197:21 |
| \$ \$1,000 4:5 5:17 \$2,000 4:7,8 5:17 \$5,000 4:5 | 3 3 2:2 4:8 6:22 12:2 122:5 125:7 | 6 6 2:2 55:1,3,18 56:12 57:12 64:14 64:19 66:5 67:8 68:15 70:22 72:3 82:11 84:15 85:10 90:10,11 127:22 6:18 119:11 6:20 119:12 6:33 131:11 6:57 131:12 60 4:10 606 201:9 | |
| # #10-251-00245 1:8 4:2 8:5 130:7 206:7,11 #11 4:17 #11-251-00146 3:22 8:5 130:7 206:8,11 #60138 1:11 3:6 | 1 1 2:18,22 4:5 11:7 12:12,16 16:14 17:15 83:14 121:3 154:7,10 155:2,20 201:11 206:6 10 16:5 137:15 142:3,6,9 201:10 10th 174:5 10-251-00245 3:4 1010 201:10 11-251-001-00146 1:9 11-251-00146 3:4 120 2:17 1300 20:4 24:5 132 2:6 1343 1:10 3:5 18:6 14th 1:18 140 2:6 142 2:6 15 2:6,17 150 2:6 152 2:9 153 2:22 155 2:22 158 2:9 | 8 8 194:16 8:03 207:21 800 5:11 823(1) 5:5 823(2) 11:12 823(6) 132:8 | |